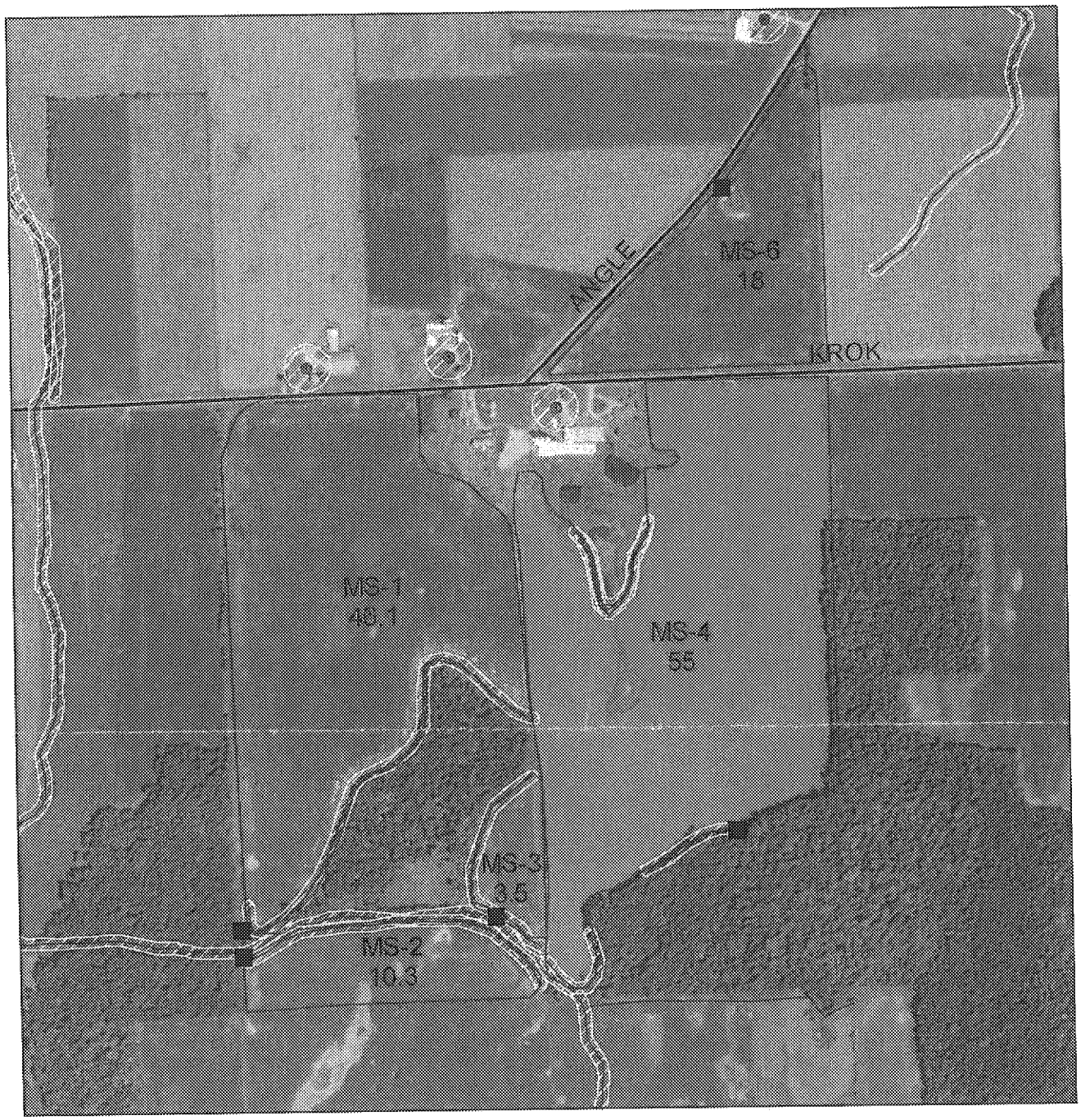
Ex. 6 Personal Privacy (PP)

2014 update
submitted 4/7/2014



Ex. 6 Personal Privacy (PP) Home

Non Winter Hazard and Soils Map

Legend

- Tile_Outlet
- 25Ft_Wetland_edge_Buffer
- Lakes_and_Ponds_SWQMA
- pagels_fields
- General_well_Location
- 100Ft Well_Buffer
- Wetland Edge
- 25Ft_Wetland-Buffer
- 25ft_ grass_waterway1_Buffer
- Streams
- 25ft_streams_buffer
- Tile Riser
- 100ft Tile_Riser_Buffer
- Kewaunee Roads

0 255 510 1,020 Feet

N

KOSS AG LLC
Crop Consulting
CCA# 14151
920-255-3303

ED_004892_00001692-00001

WISCONSIN
DEPT. OF NATURAL RESOURCES

WPDES PERMIT

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

PERMIT TO DISCHARGE UNDER THE WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM

Ex. 6 Personal Privacy (PP) **Dairy**

is permitted, under the authority of Chapter 283, Wisconsin Statutes, to manage and utilize manure from livestock facilities located at Ex. 6 Personal Privacy (PP) Town of West Kewaunee (Main Dairy) and Ex. 6 Personal Privacy (PP) Town of Casco (Heifer Facility), Kewaunee County in the Kewaunee River Watershed, Lake Michigan Drainage Basin to

Unnamed Tributaries to the Kewaunee River and groundwaters of the state

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit.

The permittee shall not discharge after the date of expiration. If the permittee wishes to continue to discharge after this expiration date an application shall be filed for reissuance of this permit, according to Chapter NR 200, Wis. Adm. Code, at least 180 days prior to the expiration date given below.

State of Wisconsin Department of Natural Resources
For the Secretary

By _____
Amy S. Callis
Agricultural Runoff Management Specialist

_____
Date Permit Signed/Issued

PERMIT TERM: EFFECTIVE DATE - November 01, 2010 **EXPIRATION DATE - October 31, 2015**

TABLE OF CONTENTS

1 Livestock Operational and Sampling Requirements

1.1 Production Area Discharge Limitations

The permittee shall comply with the livestock performance standards and prohibitions in ch. NR 151. In accordance with s. NR 243.13, the permittee may not discharge manure or process wastewater pollutants to navigable waters from the production area, including approved manure stacking sites, unless all of the following apply:

- Precipitation causes an overflow of manure or process wastewater from a containment or storage structure.
- The containment or storage structure is properly designed, constructed and maintained to contain all manure and process wastewater from the operation, including the runoff and the direct precipitation from a 25-year, 24-hour rainfall event for this location (**Kewaunee County – 4.2 inches**).
- The production area is operated in accordance with the inspection, maintenance and record keeping requirements in s. NR 243.19.
- The discharge complies with groundwater and surface water quality standards.

All structures shall be designed and operated in accordance with ss. NR 243.15 and NR 243.17 to control manure and process wastewater for the purpose of complying with discharge limitations established above and groundwater standards.

The permittee may not discharge pollutants to navigable waters under any circumstance or storm event from areas of the production area, including manure stacks on cropland, where manure or process wastewater is not properly stored or contained by a structure.

NOTE: Wastewater treatment strips, grassed waterways or buffers are examples of facilities or systems that by themselves do not constitute a structure.

1.2 Runoff Control

All runoff control systems shall be designed and maintained to comply with production area discharge limitations. Uncontaminated runoff shall be diverted away from manure and process wastewater storage and containment areas, raw materials storage and containment areas, and outdoor animal lots. All storage and containment structures associated with runoff control systems shall be operated in accordance with the "Proper Operations and Maintenance" section.

1.2.1 Non-permanent feed storage areas

All proposed non-permanent feed storage (e.g., silage bags) areas shall be submitted to the Department for approval. A permittee may not use non-permanent feed storage areas unless the permittee has obtained Department approval. Upon approval from the Department, the permittee shall comply with the following requirements, Production Area Discharge Limitations, and the table below when siting and operating non-permanent feed storage areas:

- Feed with over 75% moisture is not allowed on non-permanent areas.
- Stored feed may not be placed on bare ground and must be covered to prevent infiltration of precipitation. Significantly degraded or damaged covers shall be repaired or replaced.
- Stored feed must be moved annually to an area where feed wasn't stored within the previous 12 months.
- The area where feed was stored must be re-vegetated after the feed is moved.
- Clean water shall be diverted away from the area where the feed is stored.
- Spilled feed shall be removed and all working faces shall be recovered to minimize potential spillage and exposure to precipitation.

Siting Criteria	Restriction
1. Hydrologic Soil Groups	B, C, D

2. Subsurface Separation Distance	
- Saturation	≥ 3'
- Bedrock	≥ 3'
3. Surface Separation Distance	
- Wells	≥ 250'
- Lakes	≥ 1,000'
- Sinkholes, or other Karst Features	≥ 1,000'
- Quarries	≥ 1,000'
- Streams	≥ 300'
- Wetlands and Surface Inlets	≥ 300'
- Open channel flow	≥ 100'
- Land Slope	≤ 6%
- Floodplain (100 yr)	≥ 100'

As part of the Department approval, the Department may require additional restrictions on non-permanent feed storage areas needed to protect water quality. The permittee shall manage the storage areas in compliance with the additional restrictions specified in the approval.
Storage area approvals may be rescinded by the Department based on documented impacts to waters of the state at or from the storage area, the presence of significant amounts of runoff or ponded runoff contaminated with leachate or stored feed or the permittee's failure to comply with siting and operational requirements.
NOTE: Ch. NR 429.04, Wis. Adm. Code, prohibits the burning of covers used for feed storage.

1.3 Manure and Process Wastewater Storage

All permittees shall have and maintain adequate storage for all manure and process wastewater generated at the operation to ensure that wastes can be properly stored and land applied in compliance with the conditions and timing restrictions of the permit, a Department approved nutrient management plan and s. NR 243.14(9).

1.3.1 Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all manure and process wastewater facilities and systems in compliance with the conditions of this permit. The permittee shall comply with the permit and s. NR 243.17, including the following requirements:

- All liquid manure and process wastewater storage or containment facilities shall have the permanent markers specified in s. NR 243.15(3)(e) (margin of safety and maximum operating level for liquid manure and process wastewater storage and the 180-day storage marker for liquid manure storage).
- Chemicals and other pollutants may not be added to manure, process wastewater or stormwater storage facilities or treatment systems without prior Department approval.
- Liquid manure storage facilities or systems shall be emptied to the point that the 180-day level indicator is visible on at least one day between October 1 and November 30, except for liquid manure remaining due to unusual fall weather conditions prohibiting manure applications during this time period. The permittee shall record the day on which the 180-day level indicator was visible during this time period. Permittees unable to empty their storage facility to the 180-day level indicator between October 1 and November 30, shall notify the department in writing by December 5.
- The permittee shall maintain a design storage capacity of 180 days for liquid manure unless the Department approves a temporary reduction in design storage capacity to 150 days in accordance with s. NR 243.17(4).
- Prior to introducing any influent additives to a digester, other than manure, the permittee shall obtain written Department approval. If any materials other than manure are used in the digester, the permittee shall maintain daily records of the volumes of all manure and non-manure components added to the digester influent. As part of its approval, the Department may apply additional requirements in accordance with s. NR 243.17(1). As part of the Department's review, the Department may also require amendments to the permittee's nutrient management plan and the permittee shall submit an amended plan to the Department to incorporate the additional requirements.

1.3.2 Discharge Prevention

A permittee shall operate and maintain storage and containment facilities to prevent overflows and discharges to waters of the state.

- The permittee may not exceed the maximum operating level in liquid storage or containment facilities except as a result of recent precipitation or conditions that do not allow removal of material from the facility in accordance with permit conditions.
- The permittee shall maintain a margin of safety in liquid storage or containment facilities that levels of manure, process wastewater and other wastes placed in the storage or containment facility may not exceed. Materials shall be removed from the facility in accordance with the approved nutrient management plan to ensure that the margin of safety is not exceeded. Failure to maintain a margin of safety is permit noncompliance that must be reported to the Department in accordance with the timeframes specified in the Noncompliance-24 Hour Reporting subsection in the Standard Requirements.

1.3.3 Liquid Manure – 180-day storage

The permittee shall demonstrate compliance with the 180-day design storage capacity requirement at all the following times:

- As part of an application for permit reissuance.
- At the time of submittal of plans and specifications for proposed reviewable facilities or systems.
- In annual reports to the department.
- When an operation is proposing, at any time, a 20% expansion in animal units or an increase by an amount of 1,000 animal units or more unless the Department has approved reductions in design storage in accordance with s. NR 243.17(4).

1.3.4 Facility Closure and Abandonment

In accordance with s. NR 243.17, if the permittee plans to close or abandon structures or systems regulated by this permit, a closure or abandonment plan shall be submitted to the Department and written Department approval must be granted before closing the facility. Manure storage facilities shall be closed or abandoned in accordance with NRCS Standard 360 (December 2005). Closure or abandonment of a manure storage facility shall occur when manure has not been added or removed for a period of 24 months, unless the owner or operator can provide information to the Department that the structure is designed to store manure for a longer period of time or that the storage structure will be utilized within a specific period of time.

1.4 Solid Manure Stacking

All proposed stacking of solid manure outside of a Department approved storage facility shall be submitted to the department for approval and identified in the permittee's nutrient management plan. A permittee may not stack manure on a site unless the permittee has obtained Department approval to stack. Stacking practices shall comply with requirements of s. NR 243.141. Stacking approvals may be rescinded by the Department based on documented impacts to waters of the state at or from the stacking site or runoff onto another persons land. Stacking shall comply with following requirements:

- When piled in a stack, the solid manure stack must be able to maintain its shape with minimal sloughing such that an angle of repose of 45 degrees or greater is maintained when the manure is not frozen.
- Stacking of solid manure outside of a department approved manure storage facility shall, at a minimum, meet the specifications in NRCS Standard 313, Table 9, dated December 2005. Alternatively, stacks may be placed on sites with soils in the hydrologic soil group D provided the manure has a solids content of greater than 32% and all other criteria in NRCS Standard 313, Table 9, are met.
- The permittee shall implement any necessary additional best management practices to ensure stacking areas maintain compliance with the production area requirements in s. NR 243.13. Best management practices may include upslope clean water diversions or downslope containment structures.

- The stacked manure shall have minimal leaching so that leachate from the stack is contained within the designated stacking area and does not cause an exceedance of groundwater quality standards.
- Solid manure may not be stacked in a water quality management area.
- Stacks may only be placed on cropland.

As part of the Department approval, the Department may require additional restrictions on stacking of solid manure needed to protect water quality. The permittee shall manage the stack in compliance with the additional restrictions specified in the approval.

1.5 Ancillary Service and Storage Areas

The permittee may discharge contaminated storm water to waters of the state from ancillary service and storage areas provided the discharges of contaminated stormwater comply with groundwater and surface water quality standards. The permittee shall take preventive maintenance actions and conduct periodic visual inspections to minimize the discharge of pollutants from these areas to surface waters. For CAFO outdoor vegetated areas, the permittee shall also implement the following practices:

- Manage stocking densities, implement management systems and manage feed sources to ensure that sufficient vegetative cover is maintained over the entire area at all times.
- Prohibit direct access of livestock or poultry to surface waters or wetlands located in or adjacent to the area unless approved by the department.

1.6 Nutrient Management

Except as provided for in s. NR 243.142(2), the permittee is responsible for ensuring that the manure and process wastewater generated by the operation is land applied or disposed of in a manner that complies with the terms of this permit, the approved nutrient management plan and s. NR 243.14.

The permittee shall land apply manure and process wastewater in compliance with the Department approved nutrient management plan, s. NR 243.14 and the terms and conditions of this permit. Land application practices shall not exceed crop nutrient budgets determined in accordance with NRCS Standard 590, this permit and s. NR 243.14 and shall be based on manure and process wastewater analyses, soil tests, as well as other nutrient sources applied to a field. The permittee shall review and amend the nutrient management plan on an annual basis to reflect any changes in operations over the previous year (including incorporation of the previous year's amendments and new soil test results) and to include projected changes for the upcoming year. Annual updates are due in accordance with the Schedules section of this permit.

The management plan may be amended at any time provided the proposed amendments are approved in writing by the department and meet the requirements of s. NR 243.14. Changes requiring a plan amendment include, but are not limited to, changes to application rates, new spreading sites, changes in the number of livestock, changes in manure storage procedures, or changes in the type of manure spreading equipment. Unless specified in the "Special Permit Conditions" section of the permit, an amendment does not become effective and may not be implemented until the department has reviewed and approved the amendment. In addition, all approved amendments in a given year shall be included in the Annual Update.

The permittee shall maintain daily spreading records and submit annual reports relating to land application activities in accordance with s. NR 243.19.

1.6.1 General Spreading Restrictions

The permittee shall land apply manure and process wastewater in compliance with the following:

- Manure or process wastewater may not pond on the application site.
- During dry weather conditions, manure or process wastewater may not run off the application site, nor discharge to waters of the state through subsurface drains.

- Manure or process wastewater may not cause the fecal contamination of water in a well.
- Manure or process wastewater may not run off the application site nor discharge to waters of the state through subsurface drains due to precipitation or snowmelt except if the permittee has complied with all land application restrictions in NR 243 and this permit, and the runoff or discharge occurs as a result of a rain event that is equal to or greater than a 25-year, 24-hour rain event.
- Manure or process wastewater may not be applied to saturated soils.
- Land application practices shall maximize the use of available nutrients for crop production, prevent delivery of manure and process wastewater to waters of the state, and minimize the loss of nutrients and other contaminants to waters of the state to prevent exceedances of groundwater and surface water quality standards and to prevent impairment of wetland functional values. Practices shall retain land applied manure and process wastewater on the soil where they are applied with minimal movement.
- Manure or process wastewater may not be applied on areas of a field with a depth to groundwater or bedrock of less than 24 inches.
- Manure or process wastewater may not be applied within 100 feet of a direct conduit to groundwater.
- Manure or process wastewater may not be applied within 100 feet of a private well or non-community system as defined in ch. NR 812 or within 1000 feet of a community well as defined in ch. NR 811.
- Unless specified otherwise in this permit, where incorporation of land applied manure is required, the incorporation shall occur within 48 hours of application.
- Manure or process wastewater may not be surface applied when precipitation capable of producing runoff is forecast within 24 hours of the time of planned application.
- Manure may not be spread in a waterway, terrace channel or any areas where there may be a concentration of runoff.
- Fields receiving manure and process wastewater may not exceed tolerable soil loss ("T").

1.6.2 Non-Cropland Applications

Manure may be applied to non-cropland if pre-approval in writing is issued by the Department. Considerations for approval may include acceptable application timing, amounts and methods.

1.6.3 Additional Nutrient Management Plan Requirements

- If applicable, the permittee shall specify the method(s) of incorporation in its nutrient management plan.
- The permittee shall identify, to the maximum extent practicable, the presence of subsurface drainage systems in fields where its manure or process wastewater is applied as part of the nutrient management plan.
- In accordance with s. NR 243.14(3), the permittee shall account for 1st and 2nd year nutrient credits.
- On a field-by-field basis, the permittee shall select and implement one of the practices listed in s. NR 243.14(4) for manure and process wastewater applications in a SWQMA (defined in ch. NR 243), and include the selected practices in the nutrient management plan. Whenever manure or process wastewater is applied within a SWQMA, the permittee shall apply the material in compliance with the SWQMA practices specified in the approved nutrient management plan.
- On a field-by-field basis, the permittee shall select one of the methods specified in s. NR 243.14(5) for assessing and minimizing the potential delivery of phosphorus to surface waters, and include the selected method in the nutrient management plan. The permittee shall apply manure and process wastewater to fields in compliance with the phosphorus methods specified in the approved nutrient management plan. On a field-by-field basis, the permittee shall select and implement one of the methods.

1.6.4 Frozen or Snow Covered Ground – General Spreading Restrictions

If the permittee applies manure on frozen or snow-covered ground, the permittee shall land apply the manure in compliance with all of the restrictions in s. NR 243.14(6)-(8). Some of these restrictions include:

- Any incorporation of manure on frozen or snow-covered ground must be done immediately after application.
- The permittee shall identify acceptable sites for allowable applications on frozen or snow-covered ground as part of its nutrient management plan.
- The permittee shall evaluate each field at the time of application to determine if conditions are suitable for applying manure and complying with the requirements of this permit. All surface applications of manure or process wastewater on frozen or snow-covered ground shall occur on those fields that represent the lowest risk of pollutant

delivery to waters of the state and where the application results in a winter acute loss index value of 4 or less using the Wisconsin phosphorus index.

- Manure or process wastewater may not be land applied on fields when snow is actively melting such that water is flowing off the field.
- On fields with soils that are 60 inches thick or less over fractured bedrock, manure may not be applied on frozen ground or where snow is present.
- Manure may not be incorporated on areas of fields with greater than 4 inches of snow.

[NOTE: Please refer to ch. NR 243 for all requirements contained in s. NR 243.14(6)-(8).]

1.6.5 Frozen or Snow Covered Ground – Solid Manure (12% solids or more)

The permittee may surface apply solid manure on frozen or snow-covered ground in compliance with the following restrictions:

- Solid manure may not be surface applied on slopes greater than 9%.
- Solid manure may not be surface applied from February 1 through March 31 on areas of fields where an inch or more of snow is present or where the ground is frozen.
- The surface application shall comply with the restrictions in Table 1.

Table 1
Restrictions for Surface Applying Solid Manure on Frozen and Snow Covered Ground

Criteria	Restrictions for fields with 0-6% slopes	Restrictions for fields with slopes > 6% and up to 9%
Required fall tillage practice prior to application	Chisel or moldboard plow, no-till or a department approved equivalent[A]	Chisel or moldboard plow, no-till or department approved equivalent[A]
Minimum % solids allowed	12%	> 20%
Application rate (cumulative per acre)	Not to exceed 60 lbs. P_2O_5 per winter season, the following growing season's crop P_2O_5 budget taking into account nutrients already applied, or phosphorus application restrictions specified in a department approved nutrient management plan, whichever is less	Not to exceed 60 lbs. P_2O_5 per winter season, the following growing season's crop P_2O_5 budget taking into account nutrients already applied, or phosphorus application restrictions specified in a department approved nutrient management plan, whichever is less
Setbacks from surface waters	No application allowed within SWQMA	No application allowed within 2.0 x SWQMA
Setbacks from downslope areas of channelized flow, vegetated buffers, and wetlands	200 feet	400 feet
Setbacks from direct conduits to groundwater	300 feet	600 feet

A – All tillage and farming practices shall be conducted in accordance with the following requirements; 0-2% slope = no contouring required, >2-6% slope = tillage and practices conducted along the general contour, >6% slope = tillage and farming practices conducted along the contour. The department may approve alternative tillage practices on a case-by-case basis in situations where conducting practices along the contour is not possible. Allowances for application on no-till fields only apply to fields where no-till practices have been in place for a minimum of 3 years.

1.6.6 Frozen or Snow Covered Ground – Allowances for Surface Applications of Liquid Manure (<12% solids)

The permittee is prohibited from surface applying liquid manure during February and March, and is prohibited from surface applying liquid manure on frozen or snow-covered ground except for the following conditions:

- The permittee may surface apply liquid manure on frozen or snow covered ground, including during February and March, on an emergency basis in accordance with Table 2 and s. NR 243.14(7)(d) on fields the Department has approved for emergency applications. The permittee must notify the department verbally prior to the emergency application. Unless the emergency application is necessitated by imminent impacts to the environment or human or animal health, the permittee may not apply manure to a field on an emergency basis until the department has verbally approved the application. The permittee shall submit a written description of the emergency application and the events leading to the emergency application to the department within 5 days of the emergency application.
- Liquid manure that is frozen and cannot be transferred to a manure storage facility may be surface applied on frozen or snow-covered ground, including during February and March, in accordance with the restrictions in Tables 2 and s. NR 243.14(f). Surface applications of frozen liquid manure do not require prior department approval or notification provided application sites for frozen liquid manure are identified in the approved nutrient management plan. During February and March, the permittee shall notify the department if the permittee expects to surface apply frozen liquid manure more than 5 days in any one month.

Table 2
Restrictions for Surface Applications of Liquid Manure on Frozen or Snow Covered Ground

Criteria	Restrictions for fields with 0-2% slopes	Restrictions for fields with >2-6% slopes
Required fall tillage practice prior to application	Chisel or moldboard plow or department approved equivalent[A]	Chisel or moldboard plow or department approved equivalent[A]
Application rate (cumulative per acre)	Maximum application volume of 7,000 gallons per acre per winter season, not to exceed 60 lbs. P_2O_5, the following growing season's crop P_2O_5 budget taking into account nutrients already applied or other phosphorus application restrictions specified in a department approved nutrient management plan, whichever is less	Maximum application volume of 3,500 gallons per acre per winter season, not to exceed 30 lbs. P_2O_5, the following growing season's crop P_2O_5 budget taking into account nutrients already applied, or other phosphorus application restrictions specified in a department approved nutrient management plan, whichever is less
Setbacks from surface waters	No application allowed within SWQMA	No application allowed within SWQMA
Setbacks from downslope areas of channelized flow, vegetated buffers, wetlands	200 feet	200 feet
Setbacks from direct conduits to groundwater	300 feet	300 feet

A – All tillage and farming practices shall be conducted along the contour in accordance with the following requirements; 0-2% slope = no contouring required, >2-6% slope = tillage and practices conducted along the general contour. The department may approve alternative tillage practices on a case-by-case basis in situations where conducting practices along the contour is not possible

1.6.7 Frozen or Snow Covered Ground – Process Wastewater

If a permittee land applies process wastewater on frozen or snow-covered ground, the permittee shall land apply the process wastewater in compliance with s. NR 214.17(2) through (6) and the other land application restrictions in this permit, except for the restrictions in the "Frozen or Snow Covered Ground – Solid Manure (12% solids or more)" and "Frozen or Snow Covered Ground – Allowances for Surface Applications of Liquid Manure (<12% solids)" sections of this permit.

1.6.8 Spreading Sites Submittals

Permittee requests to amend a nutrient management plan to include landspreading sites not found in an approved management plan shall include the following information:

- The location of the site on maps and aerial photographs, and soil survey maps.
- A unique site identification number
- Information used to verify the site meets locational requirements of the permit,
- A nutrient budget for the site consistent with permit requirements. This includes a completed worksheet outlining the process in determining appropriate spreading rates for each additional site, including a crop history identifying the previous season's crops and future cropping plans for each site and estimated nutrient uptake.
- A demonstration that the field(s) in question meets tolerable soil loss rate.
- Maps that show where land application is prohibited or restricted on a map or aerial photograph of the site.
- Soil samples if available for one-time applications. If the permittee wishes to use the site for subsequent applications, soil samples shall be submitted prior to additional landspreading.

1.7 Monitoring and Sampling Requirements

The permittee shall comply with the monitoring and sampling requirements specified below for the listed sampling point(s), and the following conditions.

1.7.1 Monitoring and Inspection Program

As specified in the Schedules section of this permit, the permittee shall submit a monitoring and inspection program designed to determine compliance with permit requirements. The program shall be consistent with the requirements of this section and shall identify the areas that the permittee will inspect, the person responsible for conducting the inspections and how inspections will be recorded and submitted to the department.

Visual inspections shall be completed by the permittee or designee in accordance with the following frequencies:

- Daily inspections for leakage of all water lines that potentially come into contact with pollutants or drain to storage or containment structures or runoff control systems, including drinking or cooling water lines.
- Weekly inspections to ensure proper operation of all storm water diversion devices and devices channeling contaminated runoff to storage or containment structures.
- Weekly inspections of liquid storage and containment structures. For liquid storage and containment facilities, the berms shall be inspected for leakage, seepage, erosion, cracks and corrosion, rodent damage, excessive vegetation and other signs of structural weakness. In addition, the level of material in all liquid storage and containment facilities shall be measured and recorded in feet or inches above or below the margin of safety level.
- Quarterly inspections of the production area, including outdoor animal pens, barnyards and raw material storage areas. CAFO outdoor vegetated areas shall be inspected quarterly.
- Periodic inspections and calibration of landspreading equipment to detect leaks and ensure accurate application rates for manure and process wastewater. An initial calibration of spreading equipment shall be followed by additional calibration after any equipment modification that may impact application of manure or process wastewater or after changes in product or manure or process wastewater consistency. Spreading equipment for both liquid and solid manure shall be inspected just prior to the hauling season, and equipment used for spreading liquids shall be inspected at least once per month during months when hauling occurs.

- Inspections of fields each time manure or process wastewater is surface applied on frozen or snow-covered ground to determine if applied materials have run off the application site. Inspections shall occur during and shortly after application.

The permittee shall take corrective actions as soon as practicable to address any equipment, structure or system malfunction, noncompliance, failure or other problem identified through monitoring or inspections. If the permittee fails to take corrective actions within 30 days of identifying a malfunction, noncompliance, failure or other problem, the permittee shall contact the Department immediately following the 30-day period and provide an explanation for its failure to take action.

1.7.2 Sampling Requirements

The permittee shall collect and analyze representative samples of land applied manure and process wastewater for the parameters outlined in the monitoring requirements for each sample point. The permittee shall also collect and analyze soils from fields used for manure or process wastewater applications at least once every four years. Sampling of manure, process wastewater and soils shall be done in accordance with s. NR 243.19(1)(c).

1.8 Sampling Point(s)

The permittee is authorized to use only the facilities identified below, in accordance with the conditions specified in this permit. The permittee may not install or use new facilities or structures or land apply manure or other process wastewaters from these facilities unless written Department approval is received. A new facility is any facility that is not specifically identified in this permit. If a new facility is approved in writing by the Department, the conditions in the corresponding 'New Facility' sampling point (e.g. Manure Storage Facilities, Runoff Control Systems) will apply.

1.8.1 Manure and Process Wastewater Storage Facilities - Sampling Required

In accordance with the Production Area Discharge Limitations subsection, manure and process wastewater storage facilities shall be operated and maintained to prevent discharges to navigable waters and to comply with surface water quality standards. In addition, manure and process wastewater storage facilities shall be operated and maintained to minimize leakage for the purpose of complying with groundwater standards. Unless specifically approved and designated by the Department as a sampling point, in-field unconfined storage of manure (manure stacking) is prohibited. The permittee is authorized to use facilities identified below, in accordance with the conditions specified in this permit.

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, System Description (including capacity, legal location, and action needed as applicable), and Treatment Description**
001	Pit 1 - an earthen/concrete manure storage located at the Main Dairy constructed in 1985 with approximately 1.8 million gallons of storage volume. This sample point will be used to track manure that is directly land applied from this storage facility.
002	Pit 2 - an earthen manure storage located at the Main Dairy constructed in 1997 with approximately 7 million gallons of storage capacity. This sample point will be used to track manure directly land applied from this storage facility.
003	Pit 3 - an earthen manure storage located at the Main Dairy constructed in 1999 with approximately 11 million gallons of storage capacity. This sample point will be used to track manure that is directly land applied from this storage facility.
004	Pit 4 - an earthen manure storage facility located at the Main Dairy constructed in 2009 with approximately 26 million gallons of storage capacity. This sample point will be used to track manure that is directly land applied from this storage facility.
005	Separated Solids - the storage facility utilized for storage of digested separated solids. This sample point will be used to track manure that is directly land applied from this storage facility.
006	Manure Storage 1 - the first stage of a two stage earthen/concrete manure storage located at the Heifer Facility constructed in 2005 with a storage capacity of approximately 1 million gallons. This sample point will be used to track manure that is directly land applied from this storage facility.
007	Manure Storage 2 - the second stage of a two stage concrete/earthen manure storage facility located at the Heifer Facility constructed in 2005 with a storage capacity of approximately 7 million gallons. This sample point will be used to track manure that is directly land applied from this storage facility.
010	Solid Manure - This sample point will be used to track any solid manure, bed pack, and other solid nutrient generated at the Main Dairy or Heifer Facility that is directly land applied.
011	Headland Stacking Sites - This sample point will be used to track solid manure or other solid nutrients from the Maind Dairy or Heifer Facility stored at approved headland stacking sites that is directly land applied. Only sites that are approved and identified in the nutrient management plan can be utilized in accordance with the conditions of the approval and this permit.

Manure and Process Wastewater Storage Facilities - Action Needed: For manure and process wastewater storage facilities that are to be installed, evaluated or abandoned (as indicated in the above table), see the Schedules section herein for actions required. Although this permit may require actions for installing permanent facilities, or controls, or modifications to existing facilities, interim measures shall be immediately implemented to prevent discharges of pollutants to navigable waters. Specifically, if monitoring or inspection reports indicate any storage facility may not be able to prevent discharges to navigable waters in accordance with the conditions in the Production Area Discharge Limitations subsection, the permittee shall immediately install interim control measures to contain the discharges. Plans and specifications for permanent facilities must be submitted to the Department for review and approval in accordance with Chapter 281.41, Wis. Statutes, and Chapter NR 243, Wis. Adm. Code.

1.8.2 Runoff Control System(s) - No Sampling Required

In accordance with the Production Area Discharge Limitations subsection, the permittee shall control contaminated runoff from all elements of the livestock operation to prevent a discharge of pollutants to navigable waters and to comply with surface water quality standards and groundwater standards.

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, System Description (including capacity, legal location, and action needed as applicable), and Treatment Description**
012	Feed Storage Area 1 - This sample point includes the feed storage area and associated runoff controls for feed leachate at the Main Dairy. While chemical monitoring is not required, weekly visual inspections are to be completed in accordance with the monitoring and inspection program and this permit.
013	Digester Mixing Area - This sample point includes the digester mixing area for the anearobic digester and associated runoff controls. While chemical monitoring is not required, weekly visual inspections are to be completed in accordance with the monitoring and inspection program and this permit.
014	Feed Storage Area 2 - This sample point includes the feed storage area and associated runoff controls for feed leachate at the Heifer Facility. While chemical monitoring is not required, weekly visual inspections are to be completed in accordance with the monitoring and inspection program and this permit. An evaluation of this area will be required - see the Schedules section of this permit.
015	Concrete Outdoor Lots - This sample point includes the concrete outdoor lots and associated runoff controls located at the Heifer Facility. While chemical monitoring is not required, weekly visual inspections are to be completed in accordance with the monitoring and inspection program and this permit. An evaluation of this area will be required - see the Schedules section of this permit.
016	Earthen Outdoor Lots - This sample point includes the earthen outdoor lots and associated runoff controls located at the Heifer Facility. While chemical monitoring is not required, weekly visual inspections are to be completed in accordance with the monitoring and inspection program. An evaluation will be required of this area - see the Schedules section of the permit.

Runoff Control System(s) - Action Needed: For runoff control systems that are to be installed, evaluated or abandoned (as indicated in the above table), see the Schedules section herein for actions required. Although permanent control measures may be required by this permit, interim measures shall be implemented to prevent discharges of pollutants to navigable waters. Specifically, if monitoring or inspection reports indicate that manure or process wastewater may be discharged to navigable waters from the animal production area, in violation of the conditions in the Production Area Discharge Limitations subsection, the permittee shall immediately install interim control measures to contain the discharges. Plans and specifications for permanent runoff controls must be submitted to the Department for review and approval in accordance with Chapter 281.41. Wis. Statutes, and Chapter NR 243, Wis. Adm. Code.

1.8.3 Sampling Point 001 - Pit 1; 002- Pit 2; 003- Pit 3; 004- Pit 4; 006- Manure Storage 1; 007- Manure Storage 2

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limits and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Nitrogen, Total		lb/1000gal	2/Discharge	Grab	
Nitrogen, Available		lb/1000gal	2/Discharge	Calculated	
Phosphorus, Total		lb/1000gal	2/Discharge	Grab	
Phosphorus, Available		lb/1000gal	2/Discharge	Calculated	

Solids, Total		Percent	2/Discharge	Grab	

Reporting: Sampling test results shall be submitted with the Annual Report. Sampling is only required when land application has actually occurred.

Daily Log Requirements

The permittee shall document all discharge and monitoring activities on daily log report form 3200-123A or a Department approved equivalent log sheet. Originals of the daily log reports shall be kept by the permittee as described under Record Keeping and Retention in the Standard Requirements section, and if requested, made available to the Department.

Parameters	Units
Date of Application	Date
Field ID	Number/Name
Acres Applied	Number of Acres
Manure/Process Wastewater Source	Specify Storage Facility or Barn
Spreader Volume	Tons or Gallons
Number of Loads	Number
Soil Conditions	Dry, Wet, Frozen, Snow Covered
Temperature During Application	°F
Precipitation During Application	Describe Precipitation
Application Method	Surface Applied, Injected, Incorporated

Annual Report

The permittee shall submit an Annual Report, including Form 3200-123 or a Department approved equivalent, that summarizes all landspreading activities and includes the information identified below, the lab analyses of the manure and other waste landspread, the "T" compliance worksheet for all fields, and the soil test frequency in the past four years. The Annual Report is due each year by the date specified in the Schedules section of this permit. Nitrogen and phosphorus from all sources applied to a given field, including commercial fertilizers, shall be included in the "Total Nitrogen" and "Total Phosphorus" sections of the Annual Report.

Parameters	Units	Sample Type
Date of Application	Date	-
Field ID	Number/Name	-
Acres Applied	Number of Acres	-
Slope	Percent	-
Soil Test P Ave.	ppm	-
Manure Source	-	Composite
Current Crop	-	-

Annual Report

The permittee shall submit an Annual Report, including Form 3200-123 or a Department approved equivalent, that summarizes all landspreading activities and includes the information identified below, the lab analyses of the manure and other waste landspread, the "T" compliance worksheet for all fields, and the soil test frequency in the past four years. The Annual Report is due each year by the date specified in the Schedules section of this permit. Nitrogen and phosphorus from all sources applied to a given field, including commercial fertilizers, shall be included in the "Total Nitrogen" and "Total Phosphorus" sections of the Annual Report.

Parameters	Units	Sample Type
Crop Nitrogen Needs (per soil test)	Pounds/Acre	-
Crop P_2O_5 Needs (per soil test)	Pounds/Acre	-
Manure/Process Wastewater Analysis: Available Nitrogen	Pounds/1000 Gallons	Calculated
Manure/Process Wastewater Analysis: Available P_2O_5	Pounds/1000 Gallons	Calculated
Manure/Process Wastewater Application Rate	Gallons/Acre	-
Manure/Process Wastewater Applied: Nitrogen	Pounds/Acre	-
Manure/ Process Wastewater Applied: P_2O_5	Pounds/Acre	-
Previous Crop	-	-
Legume Nitrogen Credit	Pounds/Acre	-
Second Year Manure Credit	Pounds/Acre	-
Additional Fertilizer: Nitrogen	Pounds/Acre	-
Additional Fertilizer: P_2O_5	Pounds/Acre	-
Total Nitrogen Applied	Pounds/Acre	-
Total P_2O_5 Applied	Pounds/Acre	-
Soil Conditions	Dry, Wet, Frozen, Snow Covered	-
Application Method	Surface Applied, Injected, Incorporated	-
Banked	Yes/No	-
Field Restrictions	Per Nutrient Management Plan	-

1.8.4 Sampling Point 005 - Separated Solids; 010- Solid Manure; 011- Headland Stacking Sites

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limits and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Nitrogen, Total		lbs/ton	Quarterly	Grab	
Nitrogen, Available		lbs/ton	Quarterly	Calculated	
Phosphorus, Total		lbs/ton	Quarterly	Grab	
Phosphorus, Available		lbs/ton	Quarterly	Calculated	
Solids, Total		Percent	Quarterly	Grab	

Reporting: Sampling test results shall be submitted with the Annual Report. Sampling is only required when land application has actually occurred.

Daily Log Requirements The permittee shall document all discharge and monitoring activities on daily log report form 3200-123A or a Department approved equivalent log sheet. Originals of the daily log reports shall be kept by the permittee as described under Record Keeping and Retention in the Standard Requirements section, and if requested, made available to the Department.	
Parameters	**Units**
Date of Application	Date
Field ID	Number/Name
Acres Applied	Number of Acres
Manure/Process Wastewater Source	Specify Storage Facility or Barn
Spreader Volume	Tons or Gallons
Number of Loads	Number
Soil Conditions	Dry, Wet, Frozen, Snow Covered
Temperature During Application	°F
Precipitation During Application	Describe Precipitation
Application Method	Surface Applied, Injected, Incorporated

Annual Report

The permittee shall submit an Annual Report, including Form 3200-123 or a Department approved equivalent, that summarizes all landspreading activities and includes the information identified below, the lab analyses of the manure and other waste landspread, the "T" compliance worksheet for all fields, and the soil test frequency in the past four years. The Annual Report is due each year by the date specified in the Schedules section of this permit. Nitrogen and phosphorus from all sources applied to a given field, including commercial fertilizers, shall be included in the "Total Nitrogen" and "Total Phosphorus" sections of the Annual Report.

Parameters	Units	Sample Type
Date of Application	Date	-
Field ID	Number/Name	-
Acres Applied	Number of Acres	-
Slope	Percent	-
Soil Test P Ave.	ppm	-
Manure Source	-	Composite
Current Crop	-	-
Crop Nitrogen Needs (per soil test)	Pounds/Acre	-
Crop P_2O_5 Needs (per soil test)	Pounds/Acre	-
Manure Analysis: Available Nitrogen	Pounds/Ton	Calculated
Manure Analysis: Available P_2O_5	Pounds/Ton	Calculated
Manure Application Rate	Tons/Acre	-
Manure/Process Wastewater Applied: Nitrogen	Pounds/Acre	-
Manure/ Process Wastewater Applied: P_2O_5	Pounds/Acre	-
Previous Crop	-	-
Legume Nitrogen Credit	Pounds/Acre	-
Second Year Manure Credit	Pounds/Acre	-
Additional Fertilizer: Nitrogen	Pounds/Acre	-
Additional Fertilizer: P_2O_5	Pounds/Acre	-
Total Nitrogen Applied	Pounds/Acre	-
Total P_2O_5 Applied	Pounds/Acre	-
Soil Conditions	Dry, Wet, Frozen, Snow Covered	-
Application Method	Surface Applied, Injected, Incorporated	-
Banked	Yes/No	-

Annual Report

The permittee shall submit an Annual Report, including Form 3200-123 or a Department approved equivalent, that summarizes all landspreading activities and includes the information identified below, the lab analyses of the manure and other waste landspread, the "T" compliance worksheet for all fields, and the soil test frequency in the past four years. The Annual Report is due each year by the date specified in the Schedules section of this permit. Nitrogen and phosphorus from all sources applied to a given field, including commercial fertilizers, shall be included in the "Total Nitrogen" and "Total Phosphorus" sections of the Annual Report.

Parameters	Units	Sample Type
Field Restrictions	Per Nutrient Management Plan	-

2 Schedules

2.1 Emergency Response Plan

Update the emergency response plan in accordance with Section 3.2.3 of the permit.

Required Action	Date Due
Update Emergency Response Plan: Update the written emergency response plan for the Main Dairy and Heifer Facility to be kept on-site and available to the Department upon request.	11/30/2010

2.2 Monitoring & Inspection Program

Update the monitoring and inspection program and submit it to the Department for review in accordance with Section 1.7 of the permit.

Required Action	Date Due
Update Monitoring and Inspection Program: Submit an updated monitoring and inspection program to the Department.	01/31/2011

2.3 Annual Reports

Submit annual reports by January 31st of each year in accordance with Section 3.2.9 of the permit.

Required Action	Date Due
Submit Annual Report #1: Submit an annual report for calendar year 2010.	01/31/2011
Submit Annual Report #2: Submit an annual report for calendar year 2011.	01/31/2012
Submit Annual Report #3: Submit an annual report for calendare year 2012.	01/31/2013
Submit Annual Report #4: Submit an annual report for calendar year 2013.	01/31/2014
Submit Annual Report #5: Submit an annual report for calendar year 2014.	01/31/2015
Ongoing Annual Reports: Continue to submit Annual Reports by January 31st of each year until permit reissuance has been completed.	

2.4 Nutrient Management Plan

Submit a nutrient management plan update by March 31st of each year in accordance with Section 1.6 of the permit.

Required Action	Date Due
Nutrient Management Plan Submittal: Submit any necessary updates to the nutrient management plan to meet the conditions outlined in this permit.	12/31/2010
Nutrient Management Plan Annual Update #1: Submit an annual update to the nutrient management plan in accordance with NR 243 and permit conditions.	03/31/2011
Nutrient Management Plan Annual Update #2: Submit an annual update to the nutrient management plan in accordance with NR 243 and permit conditions.	03/31/2012
Nutrient Management Plan Annual Update #3: Submit an annual update to the nutrient management plan in accordance with NR 243 and permit conditions.	03/31/2013

Nutrient Management Plan Annual Update #4: Submit an annual update to the nutrient management plan in accordance with NR 243 and permit conditions.	03/31/2014
Nutrient Management Plan for Permit Renewal: Submit a complete nutrient management plan as part of the permit renewal application	04/30/2015
Ongoing Nutrient Management Plan Annual Updates: Continue to submit annual updates to the nutrient management plan by March 31st of each year until permit reissuance has been completed.	

2.5 Permanent Markers - Installation

Install permanent markers for the maximum operating level, margin of safety and 180 day storage requirement in all liquid manure storages in accordance with Section 1.3 of the permit.

Required Action	Date Due
Complete Installation: Complete installation of permanent markers. Installation documentation should be included in the Annual Report #1.	12/31/2010

2.6 Feed Storage - Engineering Evaluation

Conduct an evaluation of the feed storage area at the Heifer Facility. Submit plans and specifications for proposed modifications or repairs in accordance with Sections 3.2.6 and 3.2.7 of the permit.

Required Action	Date Due
Retain Qualified Expert: The permittee shall retain a qualified expert to complete an engineering evaluation for the Heifer Facility feed storage area and report the name of the expert to the Department.	12/31/2010
Written Description of Existing System: Submit an engineering evaluation that includes a written description of the existing feed storage area at the Heifer Facility and its adequacy to meet the conditions found in the Production Area Discharge Limitations subsection and NR 243.15, Wis. Adm. Code.	06/30/2011
Plans and Specifications: Submit plans and specifications for Department review and approval to permanently correct any adverse conditions identified as part of the engineering evaluation for the Heifer Facility feed storage area in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code.	09/30/2011
Corrections and Post Construction Documentation: Complete construction of improvements to permanently correct any adverse conditions in concurrence with and approval by the Department, by the specified Date Due. Submit post construction documentation within 60 days of completion of the project.	10/31/2012

2.7 Runoff Control System - Engineering Evaluation

Conduct an evaluation of the concrete outdoor lots and earthen lots at the Heifer Facility. Submit plans and specifications for proposed modifications or repairs in accordance with Sections 3.2.6 and 3.2.7 of the permit.

Required Action	Date Due
Complete Engineering Evaluation: Retain a qualified expert to complete an engineering evaluation for the concrete outdoor lots and earthen lots at the Heifer Facility and report the name of the expert to the Department.	12/31/2010

Written Description of Existing System: Submit a written description of the existing runoff control system for the concrete outdoor lots and earthen lots at the Heifer Facility and their adequacy to permanently meet the conditions in the Production Area Discharge Limitations and Runoff Control subsections and s. NR 243.15, Wis. Adm. Code. (See Standard Requirements for report details.)	06/30/2011
Plans and Specifications: Submit plans and specifications for Department review and approval to permanently correct any adverse runoff control conditions in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code.	09/30/2011
Corrections and Post Construction Documentation: Complete construction of runoff controls that permanently correct any adverse runoff control conditions in concurrence with and approval by the Department, by the specified Date Due. Submit post construction documentation within 60 days of completion of the project.	10/31/2012

2.8 Submit Permit Reissuance Application

Submit a complete reissuance application in accordance with Section 3.2.10 of the permit.

Required Action	Date Due
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	04/30/2015

3 Standard Requirements

3.1 General Conditions

NR 205, Wisconsin Administrative Code: The conditions in s. NR 205.07(1), Wis. Adm. Code, are included by reference in this permit. The permittee shall comply with all of these requirements. Some of these requirements are outlined in the Standard Requirements section of this permit. Requirements not specifically outlined in the Standard Requirement section of this permit can be found in s. NR 205.07(1).

3.1.1 Duty to comply

The permittee shall comply with all conditions of the permit. Any permit noncompliance is a violation of the permit and is grounds for enforcement action, permit revocation or modification, or denial of a permit reissuance application.

3.1.2 Permit Actions

As provided in s. 283.53, Stats., after notice and opportunity for a hearing the permit may be modified or revoked and reissued for cause. If the permittee files a request for a permit modification, revocation or reissuance, or a notification of planned changes or anticipated noncompliance, this action by itself does not relieve the permittee of any permit condition.

3.1.3 Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege. The permit does not authorize any injury or damage to private property or any invasion of personal rights, or any infringement of federal, state or local laws or regulations.

3.1.4 Schedules

Reports of compliance or noncompliance with interim and final requirements contained in any schedule of the permit shall be submitted in writing within 14 days after the schedule date, except that progress reports shall be submitted in writing on or before each schedule date for each report. Any report of noncompliance shall include the cause of noncompliance, a description of remedial actions taken and an estimate of the effect of the noncompliance on the permittee's ability to meet the remaining schedule dates.

3.1.5 Inspection and Entry

The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:

- enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records are required under the conditions of the permit;
- have access to and copy, at reasonable times, any records that are required under the conditions of the permit;
- inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit; and
- sample or monitor at reasonable times, for the purposes of assuring permit compliance, any substances or parameters at any location.

3.1.6 Transfers

A permit is not transferable to any person except after notice to the Department. In the event of a transfer of control of a permitted facility, the prospective owner or operator shall file a new permit application and shall file a stipulation of permit acceptance with the Department WPDES permit section. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and to reflect the requirements of ch. 283, Stats.

3.1.7 Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any adverse impact on the waters of the state resulting from noncompliance with the permit.

3.1.8 Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking or reissuing the permit or to determine compliance with the permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by the permittee.

3.1.9 Recording of Results-Sampling

For each manure, process wastewater or soil sample taken by the permittee, the permittee shall record the following information:

- The date, exact place, method and time of sampling or measurements,
- The individual or lab that performed the sampling or measurements,
- The date of the analysis was performed,
- The individual who performed the analysis,
- The analytical techniques or methods used
- The results of the analysis.

3.1.10 Recording of Results-Inspections

For each inspection conducted by the permittee, the permittee shall record the following information:

- The date and name of the person(s) performing the inspection,
- An inspection description, including components inspected,
- Details of what was discovered during the inspection,
- Recommendations for repair or maintenance,
- Any corrective actions taken.

3.1.11 Spill Reporting

The permittee shall notify the Department in in the event that a spill or accidental release of any material or substance results in the discharge of pollutants to the waters of the state at a rate or concentration greater than the effluent limitations or restrictions established in this permit, or the spill or accidental release of the material that is unregulated in this permit, unless the spill or release of pollutants has been reported to the Department in accordance with s. NR 205.07 (1)(s), Wis. Adm. Code, and the "Noncompliance - 24 Hour Reporting,"section of this permit.

3.1.12 Planned Changes

The permittee shall report to the Department any facility or operation expansion, production increase or process modifications which will result in new, different or increased amount of manure or process wastewater produced or handled by the permittee or which will result in new, different or increased discharges of pollutants to waters of the state. The report shall either be a new permit application, or if the new discharge will not violate the conditions of this permit, a written notice of the planned change. The report shall contain a description of the planned change, an estimate of the new, different or increased discharge of pollutants and a description of the effect of change will have on current manure and process wastewater handling practices. Changes cannot be implemented prior to reporting changes to the Department. Following receipt of this report, the Department may require that the permittee submit plans and specifications, or modify its nutrient management plan to address the planned change. Changes requiring Department action or approval may not be initiated prior to Department action or approval.

3.1.13 Submittal of Plans and Specifications

In accordance with s. NR 243.15, the permittee shall submit plans and specifications for proposed new or upgraded reviewable facilities or systems to the Department for approval prior to construction. Post construction documentation for these projects shall be submitted within 60 days of completion of the project, or as otherwise specified by the Department.

3.1.14 Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the department, it shall promptly submit such facts or correct information to the department.

3.1.15 Noncompliance - 24 Hour Reporting

The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. This includes any upset which exceeds any effluent limitation in the permit, or violations of the discharge limitations listed in the permit.

NOTE: Section 292.11(2)(a), Wisconsin Statutes, requires any person who possesses or controls a hazardous substance or who causes the discharge of a hazardous substance to notify the Department of Natural Resources **immediately** of any discharge not authorized by the permit. The discharge of a hazardous substance that is not authorized by this permit or that violates this permit may be a hazardous substance spill. To report a hazardous substance spill, call DNR's 24-hour HOTLINE at **1-800-943-0003.**

3.1.16 Reports and Submittal Certification

Signature(s) on reports required by this permit shall certify to the best of the permittee's knowledge the reports to be true, complete and accurate. All reports required by this permit shall be signed:

- for a corporation by a principal executive officer of at least the level of Vice President or his duly authorized representative having overall responsibility for the operation of the facility of which this permit issued,
- for a partnership by a general partner, and
- for a sole proprietorship by the proprietor.

3.2 Livestock Operation General Requirements

3.2.1 Responsibility for Manure and Process Wastewater

The permittee is responsible for the storage, management and land application of all manure and process wastewater generated by the operation. The permittee is also responsible for any manure or process wastewater received from non-permitted operations that are accepted by the permittee for storage, management or land application.

3.2.2 Distribution of Manure and Process Wastewater

All manure and process wastewater generated by the permittee is the responsibility of the permittee and shall be stored and applied in compliance with the terms and conditions of this permit and the approved nutrient management plan, except if the manure or process wastewater is distributed to another person in accordance with s. NR 243.142 and the Department has approved the transfer of responsibility in writing.

To transfer responsibility for handling, storage and application of manure or process wastewater, a permittee shall submit a written request to the Department. At minimum the request shall indicate how the permittee will comply

with all conditions identified in ch. NR 243.142(3), Wis. Adm. Code. If approved, the permittee will be responsible for the following recordkeeping and reporting:

- Update the nutrient management plan to include the estimated amount of manure and process wastewater to be transferred, and record the actual amount transferred at the time of transfer.
- Maintain records that identify the name and address of the recipient of the manure or process wastewater, quantity, and dates of transfer.
- Provide the recipient with written information regarding the nutrient content (nitrogen and phosphorus at minimum) of the manure and process wastewater.
- Submit transfer reports to the Department with the annual report.
- Records shall be maintained for at least 5 years.

Upon written approval from the Department, the permittee is not responsible for the land application, use or disposal of distributed manure or process wastewater if the manure or process wastewater is distributed in compliance with the conditions of the Department approval and s. NR 243.142.

3.2.3 Emergency Response Plans

Within 30 days of the effective date of the permit, the permittee shall develop a written emergency response plan, or update an existing plan if necessary, in accordance with s. NR 243.13(6). The plan shall be made available to the Department upon request. The emergency response plan shall be reviewed and, if appropriate or necessary, amended whenever the operation undergoes significant expansions or other changes that affect the volume or location of potential unauthorized spills or discharges. The plan shall be amended as needed to reflect changes in available equipment, available clean-up contractors or procedures to address unauthorized spills or discharges, or amended in accordance with comments provided by the department. The plan shall be retained at the production area and the permittee shall notify all employees involved in manure and process wastewater handling of the location of the plan.

3.2.4 Mortality Management

Animal carcasses may not be disposed of in a manner that results in a discharge of pollutants to surface waters, violates groundwater standards or impairs wetland functional values. Animal carcasses may not be disposed of directly into waters of the state. In addition, carcasses may not be disposed of in liquid manure or process wastewater containment, storage or treatment facilities unless the containment, storage or treatment facility is adequately designed to contain and treat carcasses and the facility has been approved by the department for that use.

The permittee shall record the date and method of carcass disposal.

[NOTE: The permittee should be aware that there are additional restrictions on the disposal of animal carcasses in ch. 95, Stats., and ATCP 3, Wis. Adm. Code. Furthermore, there may be local regulations regarding disposal of carcasses. If a carcass is disposed of off-site, the disposal may be subject to the requirements in ch. NR 502.12 or 518, Wis. Adm. Code]

3.2.5 Department Review of Nutrient Management Plans

The Department reserves the right to review the Nutrient Management Plan at any time for application rates and cover crop nutrient removal rates, as well as the timing and methods of application. If the Department determines that a landspreading site is no longer acceptable for manure and process wastewater applications, the permittee shall modify the Nutrient Management Plan to remove the site from the plan. In addition, if the Department determines application rates need to be adjusted for individual fields, the permittee shall modify the Nutrient Management Plan. All Department initiated modifications shall be completed by the permittee within 3 months of written notification from the Department.

3.2.6 Existing Runoff Control System(s) Evaluation

The following information shall be included in the written report evaluating the existing runoff control system(s):

- a narrative providing general background and operational information on the existing runoff control system(s), including a full description of each system's components;
- the adequacy of the system(s) to permanently meet the conditions in the Production Area Discharge Limitations and Runoff Control subsections;
- scaled drawings showing the locations of the runoff control system, any surface water, water supply wells, property boundaries, and other pertinent information;
- any post construction documentation available, including the date and materials of construction.
- an assessment of the ability of the facility to meet the design requirements for runoff control in s. NR 243.15; and
- any proposed actions to address issues identified as part of the evaluation

3.2.7 Runoff Control Systems - Installation Plan Requirements

New construction of runoff control systems shall be in accordance with s. NR 243.15. Exemptions to the design criteria may be given on a case-by-case basis. Prior written approval is required. The following (minimum) information shall be included in the plans and specifications submitted for the new construction of a runoff control system(s) (three complete copies are required):

- a narrative describing the proposed system including a full description of the system's proposed components;
- a written management and site assessment;
- an operation and maintenance plan;
- an assessment of the ability of the system(s) to meet the applicable design requirements in s. NR 243.15;
- the adequacy of each proposed system to permanently meet the conditions in the Production Area Discharge Limitations and Runoff Control subsections;
- the proximity of bedrock and the water table to the proposed elevation of each system's floors verified through on-site soil test borings or pits;
- scaled drawings showing the design details and locations of each proposed system, any surface water, water supply wells, property boundaries, and other pertinent information;
- details concerning the proposed materials of construction; and
- relevant engineering calculations.

3.2.8 Record Keeping and Retention

The permittee shall keep records associated with production area and land application activities in accordance with s. NR 243.19(2). The permittee shall retain these records and copies of all reports required by the permit, and records of all data used to complete the application for the permit for a period of at least 5 years from the date of the sample, measurement, report or application. The Department may request that this period be extended by issuing a public notice to modify the permit to extend this period. These records shall be made available to the Department upon request.

Note: A form for recording daily land application activities (Form 3200-123A) can be obtained at regional offices of the Department or the Department's Bureau of Watershed Management, 101 S. Webster St., P.O. Box 7921, Madison, Wisconsin 53707.

3.2.9 Reporting Requirements

The permittee shall submit the following reports in accordance with s. NR 243.19(3)

- **Corrective Actions:** If the permittee fails to take corrective action within 30 days of identifying a malfunction, failure, permit noncompliance or other identified problem, the permittee shall contact the Department immediately following the 30-day period and provide an explanation for its failure to take action.
- **Quarterly Reports:** The permittee shall summarize the results of inspections conducted at the production area in a written quarterly report. The permittee shall maintain the quarterly reports onsite until the quarterly report is submitted to the Department as part of the annual report.

- **Annual Reports:** The permittee shall submit written annual reports to the department by the date specified in the Schedules section of permit for all manure and other process wastewater that is generated by the permittee. These annual reports shall cover quarterly reports, annual spreading activities and other information required in s. NR 243.19(3) for the previous calendar year or cropping year, as specified in this permit.

Note: Form 3200-123 (Annual Spreading Report) can be obtained at regional offices of the department or the department's Bureau of Watershed Management, 101 S. Webster St., P.O. Box 7921, Madison, Wisconsin 53707.

3.2.10 Duty to Maintain Permit Coverage

The permittee shall submit a reissuance application in accordance with s. NR 243.12(2)(b) at least 180 days prior to the expiration date of its current WPDES permit, unless the permittee submits a letter to the Department documenting all of the following:

- That the permittee has ceased operation or is no longer defined as a large CAFO under s. NR 243.03(28).
- That the permittee has demonstrated to the Department's satisfaction that it has no remaining potential to discharge of manure or process wastewater pollutants to waters of the state that was generated while the operation was a CAFO

4 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Date	Page
Emergency Response Plan -Update Emergency Response Plan	November 30, 2010	17
Monitoring & Inspection Program -Update Monitoring and Inspection Program	January 31, 2011	17
Annual Reports -Submit Annual Report #1	January 31, 2011	17
Annual Reports -Submit Annual Report #2	January 31, 2012	17
Annual Reports -Submit Annual Report #3	January 31, 2013	17
Annual Reports -Submit Annual Report #4	January 31, 2014	17
Annual Reports -Submit Annual Report #5	January 31, 2015	17
Annual Reports -Ongoing Annual Reports	January 31st each year	17
Nutrient Management Plan -Nutrient Management Plan Submittal	December 31, 2010	17
Nutrient Management Plan -Nutrient Management Plan Annual Update #1	March 31, 2011	17
Nutrient Management Plan -Nutrient Management Plan Annual Update #2	March 31, 2012	17
Nutrient Management Plan -Nutrient Management Plan Annual Update #3	March 31, 2013	17
Nutrient Management Plan -Nutrient Management Plan Annual Update #4	March 31, 2014	18
Nutrient Management Plan -Nutrient Management Plan for Permit Renewal	April 30, 2015	18
Nutrient Management Plan -Ongoing Nutrient Management Plan Annual Updates	March 31st each year	18
Permanent Markers - Installation -Complete Installation	December 31, 2010	18
Feed Storage - Engineering Evaluation -Retain Qualified Expert	December 31, 2010	18
Feed Storage - Engineering Evaluation -Written Description of Existing System	June 30, 2011	18
Feed Storage - Engineering Evaluation -Plans and Specifications	September 30, 2011	18
Feed Storage - Engineering Evaluation -Corrections and Post Construction Documentation	October 31, 2012	18
Runoff Control System - Engineering Evaluation -Complete Engineering Evaluation	December 31, 2010	18
Runoff Control System - Engineering Evaluation -Written Description of Existing System	June 30, 2011	19
Runoff Control System - Engineering Evaluation -Plans and Specifications	September 30, 2011	19
Runoff Control System - Engineering Evaluation -Corrections and Post Construction Documentation	October 31, 2012	19
Submit Permit Reissuance Application -Reissuance Application	April 30, 2015	19

Submit all information required by this permit to:

Wisconsin Department of Natural Resources
Attn: Agricultural Specialist – Lakeshore Basin
2984 Shawano Ave
Green Bay, WI 54313-6727

WISCONSIN
DEPT. OF NATURAL RESOURCES

WPDES PERMIT

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

PERMIT TO DISCHARGE UNDER THE WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM

Ex. 6 Personal Privacy (PP) **Dairy**

is permitted, under the authority of Chapter 283, Wisconsin Statutes, to manage and utilize manure from livestock facilities located at N4893 CTH C, NW ¼ NE ¼ S4 T23N R24E, Town of West Kewaunee (Main Dairy) and SE ¼ SW ¼ S27 T24N R24E, Town of Casco (Heifer Facility), Kewaunee County in the Kewaunee River Watershed, Lake Michigan Drainage Basin to

Unnamed Tributaries to the Kewaunee River and groundwaters of the state

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit.

The permittee shall not discharge after the date of expiration. If the permittee wishes to continue to discharge after this expiration date an application shall be filed for reissuance of this permit, according to Chapter NR 200, Wis. Adm. Code, at least 180 days prior to the expiration date given below.

State of Wisconsin Department of Natural Resources
For the Secretary

By Casey J. Jones FOR
Amy S. Callis
Agricultural Runoff Management Specialist

10-22-10
Date Permit Signed/Issued

PERMIT TERM: EFFECTIVE DATE - November 01, 2010 **EXPIRATION DATE - October 31, 2015**

TABLE OF CONTENTS

1 Livestock Operational and Sampling Requirements

1.1 Production Area Discharge Limitations

The permittee shall comply with the livestock performance standards and prohibitions in ch. NR 151. In accordance with s. NR 243.13, the permittee may not discharge manure or process wastewater pollutants to navigable waters from the production area, including approved manure stacking sites, unless all of the following apply:

- Precipitation causes an overflow of manure or process wastewater from a containment or storage structure.
- The containment or storage structure is properly designed, constructed and maintained to contain all manure and process wastewater from the operation, including the runoff and the direct precipitation from a 25-year, 24-hour rainfall event for this location **(Kewaunee County – 4.2 inches)**.
- The production area is operated in accordance with the inspection, maintenance and record keeping requirements in s. NR 243.19.
- The discharge complies with groundwater and surface water quality standards.

All structures shall be designed and operated in accordance with ss. NR 243.15 and NR 243.17 to control manure and process wastewater for the purpose of complying with discharge limitations established above and groundwater standards.

The permittee may not discharge pollutants to navigable waters under any circumstance or storm event from areas of the production area, including manure stacks on cropland, where manure or process wastewater is not properly stored or contained by a structure.

NOTE: Wastewater treatment strips, grassed waterways or buffers are examples of facilities or systems that by themselves do not constitute a structure.

1.2 Runoff Control

All runoff control systems shall be designed and maintained to comply with production area discharge limitations. Uncontaminated runoff shall be diverted away from manure and process wastewater storage and containment areas, raw materials storage and containment areas, and outdoor animal lots. All storage and containment structures associated with runoff control systems shall be operated in accordance with the "Proper Operations and Maintenance" section.

1.2.1 Non-permanent feed storage areas

All proposed non-permanent feed storage (e.g., silage bags) areas shall be submitted to the Department for approval. A permittee may not use non-permanent feed storage areas unless the permittee has obtained Department approval. Upon approval from the Department, the permittee shall comply with the following requirements, Production Area Discharge Limitations, and the table below when siting and operating non-permanent feed storage areas:

- Feed with over 75% moisture is not allowed on non-permanent areas.
- Stored feed may not be placed on bare ground and must be covered to prevent infiltration of precipitation. Significantly degraded or damaged covers shall be repaired or replaced.
- Stored feed must be moved annually to an area where feed wasn't stored within the previous 12 months.
- The area where feed was stored must be re-vegetated after the feed is moved.
- Clean water shall be diverted away from the area where the feed is stored.
- Spilled feed shall be removed and all working faces shall be recovered to minimize potential spillage and exposure to precipitation.

Siting Criteria	Restriction
1. Hydrologic Soil Groups	B, C, D

2. Subsurface Separation Distance	
- Saturation	≥ 3'
- Bedrock	≥ 3'
3. Surface Separation Distance	
- Wells	≥ 250'
- Lakes	≥ 1,000'
- Sinkholes, or other Karst Features	≥ 1,000'
- Quarries	≥ 1,000'
- Streams	≥ 300'
- Wetlands and Surface Inlets	≥ 300'
- Open channel flow	≥ 100'
- Land Slope	≤ 6%
- Floodplain (100 yr)	≥ 100'

As part of the Department approval, the Department may require additional restrictions on non-permanent feed storage areas needed to protect water quality. The permittee shall manage the storage areas in compliance with the additional restrictions specified in the approval.
Storage area approvals may be rescinded by the Department based on documented impacts to waters of the state at or from the storage area, the presence of significant amounts of runoff or ponded runoff contaminated with leachate or stored feed or the permittee's failure to comply with siting and operational requirements.
NOTE: Ch. NR 429.04, Wis. Adm. Code, prohibits the burning of covers used for feed storage.

1.3 Manure and Process Wastewater Storage

All permittees shall have and maintain adequate storage for all manure and process wastewater generated at the operation to ensure that wastes can be properly stored and land applied in compliance with the conditions and timing restrictions of the permit, a Department approved nutrient management plan and s. NR 243.14(9).

1.3.1 Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all manure and process wastewater facilities and systems in compliance with the conditions of this permit. The permittee shall comply with the permit and s. NR 243.17, including the following requirements:

- All liquid manure and process wastewater storage or containment facilities shall have the permanent markers specified in s. NR 243.15(3)(e) (margin of safety and maximum operating level for liquid manure and process wastewater storage and the 180-day storage marker for liquid manure storage).
- Chemicals and other pollutants may not be added to manure, process wastewater or stormwater storage facilities or treatment systems without prior Department approval.
- Liquid manure storage facilities or systems shall be emptied to the point that the 180-day level indicator is visible on at least one day between October 1 and November 30, except for liquid manure remaining due to unusual fall weather conditions prohibiting manure applications during this time period. The permittee shall record the day on which the 180-day level indicator was visible during this time period. Permittees unable to empty their storage facility to the 180-day level indicator between October 1 and November 30, shall notify the department in writing by December 5.
- The permittee shall maintain a design storage capacity of 180 days for liquid manure unless the Department approves a temporary reduction in design storage capacity to 150 days in accordance with s. NR 243.17(4).
- Prior to introducing any influent additives to a digester, other than manure, the permittee shall obtain written Department approval. If any materials other than manure are used in the digester, the permittee shall maintain daily records of the volumes of all manure and non-manure components added to the digester influent. As part of its approval, the Department may apply additional requirements in accordance with s. NR 243.17(1). As part of the Department's review, the Department may also require amendments to the permittee's nutrient management plan and the permittee shall submit an amended plan to the Department to incorporate the additional requirements.

1.3.2 Discharge Prevention

A permittee shall operate and maintain storage and containment facilities to prevent overflows and discharges to waters of the state.

- The permittee may not exceed the maximum operating level in liquid storage or containment facilities except as a result of recent precipitation or conditions that do not allow removal of material from the facility in accordance with permit conditions.
- The permittee shall maintain a margin of safety in liquid storage or containment facilities that levels of manure, process wastewater and other wastes placed in the storage or containment facility may not exceed. Materials shall be removed from the facility in accordance with the approved nutrient management plan to ensure that the margin of safety is not exceeded. Failure to maintain a margin of safety is permit noncompliance that must be reported to the Department in accordance with the timeframes specified in the Noncompliance-24 Hour Reporting subsection in the Standard Requirements.

1.3.3 Liquid Manure – 180-day storage

The permittee shall demonstrate compliance with the 180-day design storage capacity requirement at all the following times:

- As part of an application for permit reissuance.
- At the time of submittal of plans and specifications for proposed reviewable facilities or systems.
- In annual reports to the department.
- When an operation is proposing, at any time, a 20% expansion in animal units or an increase by an amount of 1,000 animal units or more unless the Department has approved reductions in design storage in accordance with s. NR 243.17(4).

1.3.4 Facility Closure and Abandonment

In accordance with s. NR 243.17, if the permittee plans to close or abandon structures or systems regulated by this permit, a closure or abandonment plan shall be submitted to the Department and written Department approval must be granted before closing the facility. Manure storage facilities shall be closed or abandoned in accordance with NRCS Standard 360 (December 2005). Closure or abandonment of a manure storage facility shall occur when manure has not been added or removed for a period of 24 months, unless the owner or operator can provide information to the Department that the structure is designed to store manure for a longer period of time or that the storage structure will be utilized within a specific period of time.

1.4 Solid Manure Stacking

All proposed stacking of solid manure outside of a Department approved storage facility shall be submitted to the department for approval and identified in the permittee's nutrient management plan. A permittee may not stack manure on a site unless the permittee has obtained Department approval to stack. Stacking practices shall comply with requirements of s. NR 243.141. Stacking approvals may be rescinded by the Department based on documented impacts to waters of the state at or from the stacking site or runoff onto another persons land. Stacking shall comply with following requirements:

- When piled in a stack, the solid manure stack must be able to maintain its shape with minimal sloughing such that an angle of repose of 45 degrees or greater is maintained when the manure is not frozen.
- Stacking of solid manure outside of a department approved manure storage facility shall, at a minimum, meet the specifications in NRCS Standard 313, Table 9, dated December 2005. Alternatively, stacks may be placed on sites with soils in the hydrologic soil group D provided the manure has a solids content of greater than 32% and all other criteria in NRCS Standard 313, Table 9, are met.
- The permittee shall implement any necessary additional best management practices to ensure stacking areas maintain compliance with the production area requirements in s. NR 243.13. Best management practices may include upslope clean water diversions or downslope containment structures.

- The stacked manure shall have minimal leaching so that leachate from the stack is contained within the designated stacking area and does not cause an exceedance of groundwater quality standards.
- Solid manure may not be stacked in a water quality management area.
- Stacks may only be placed on cropland.

As part of the Department approval, the Department may require additional restrictions on stacking of solid manure needed to protect water quality. The permittee shall manage the stack in compliance with the additional restrictions specified in the approval.

1.5 Ancillary Service and Storage Areas

The permittee may discharge contaminated storm water to waters of the state from ancillary service and storage areas provided the discharges of contaminated stormwater comply with groundwater and surface water quality standards. The permittee shall take preventive maintenance actions and conduct periodic visual inspections to minimize the discharge of pollutants from these areas to surface waters. For CAFO outdoor vegetated areas, the permittee shall also implement the following practices:

- Manage stocking densities, implement management systems and manage feed sources to ensure that sufficient vegetative cover is maintained over the entire area at all times.
- Prohibit direct access of livestock or poultry to surface waters or wetlands located in or adjacent to the area unless approved by the department.

1.6 Nutrient Management

Except as provided for in s. NR 243.142(2), the permittee is responsible for ensuring that the manure and process wastewater generated by the operation is land applied or disposed of in a manner that complies with the terms of this permit, the approved nutrient management plan and s. NR 243.14.

The permittee shall land apply manure and process wastewater in compliance with the Department approved nutrient management plan, s. NR 243.14 and the terms and conditions of this permit. Land application practices shall not exceed crop nutrient budgets determined in accordance with NRCS Standard 590, this permit and s. NR 243.14 and shall be based on manure and process wastewater analyses, soil tests, as well as other nutrient sources applied to a field. The permittee shall review and amend the nutrient management plan on an annual basis to reflect any changes in operations over the previous year (including incorporation of the previous year's amendments and new soil test results) and to include projected changes for the upcoming year. Annual updates are due in accordance with the Schedules section of this permit.

The management plan may be amended at any time provided the proposed amendments are approved in writing by the department and meet the requirements of s. NR 243.14. Changes requiring a plan amendment include, but are not limited to, changes to application rates, new spreading sites, changes in the number of livestock, changes in manure storage procedures, or changes in the type of manure spreading equipment. Unless specified in the "Special Permit Conditions" section of the permit, an amendment does not become effective and may not be implemented until the department has reviewed and approved the amendment. In addition, all approved amendments in a given year shall be included in the Annual Update.

The permittee shall maintain daily spreading records and submit annual reports relating to land application activities in accordance with s. NR 243.19.

1.6.1 General Spreading Restrictions

The permittee shall land apply manure and process wastewater in compliance with the following:

- Manure or process wastewater may not pond on the application site.
- During dry weather conditions, manure or process wastewater may not run off the application site, nor discharge to waters of the state through subsurface drains.

- Manure or process wastewater may not cause the fecal contamination of water in a well.
- Manure or process wastewater may not run off the application site nor discharge to waters of the state through subsurface drains due to precipitation or snowmelt except if the permittee has complied with all land application restrictions in NR 243 and this permit, and the runoff or discharge occurs as a result of a rain event that is equal to or greater than a 25-year, 24-hour rain event.
- Manure or process wastewater may not be applied to saturated soils.
- Land application practices shall maximize the use of available nutrients for crop production, prevent delivery of manure and process wastewater to waters of the state, and minimize the loss of nutrients and other contaminants to waters of the state to prevent exceedances of groundwater and surface water quality standards and to prevent impairment of wetland functional values. Practices shall retain land applied manure and process wastewater on the soil where they are applied with minimal movement.
- Manure or process wastewater may not be applied on areas of a field with a depth to groundwater or bedrock of less than 24 inches.
- Manure or process wastewater may not be applied within 100 feet of a direct conduit to groundwater.
- Manure or process wastewater may not be applied within 100 feet of a private well or non-community system as defined in ch. NR 812 or within 1000 feet of a community well as defined in ch. NR 811.
- Unless specified otherwise in this permit, where incorporation of land applied manure is required, the incorporation shall occur within 48 hours of application.
- Manure or process wastewater may not be surface applied when precipitation capable of producing runoff is forecast within 24 hours of the time of planned application.
- Manure may not be spread in a waterway, terrace channel or any areas where there may be a concentration of runoff.
- Fields receiving manure and process wastewater may not exceed tolerable soil loss ("T").

1.6.2 Non-Cropland Applications

Manure may be applied to non-cropland if pre-approval in writing is issued by the Department. Considerations for approval may include acceptable application timing, amounts and methods.

1.6.3 Additional Nutrient Management Plan Requirements

- If applicable, the permittee shall specify the method(s) of incorporation in its nutrient management plan.
- The permittee shall identify, to the maximum extent practicable, the presence of subsurface drainage systems in fields where its manure or process wastewater is applied as part of the nutrient management plan.
- In accordance with s. NR 243.14(3), the permittee shall account for 1st and 2nd year nutrient credits.
- On a field-by-field basis, the permittee shall select and implement one of the practices listed in s. NR 243.14(4) for manure and process wastewater applications in a SWQMA (defined in ch. NR 243), and include the selected practices in the nutrient management plan. Whenever manure or process wastewater is applied within a SWQMA, the permittee shall apply the material in compliance with the SWQMA practices specified in the approved nutrient management plan.
- On a field-by-field basis, the permittee shall select one of the methods specified in s. NR 243.14(5) for assessing and minimizing the potential delivery of phosphorus to surface waters, and include the selected method in the nutrient management plan. The permittee shall apply manure and process wastewater to fields in compliance with the phosphorus methods specified in the approved nutrient management plan. On a field-by-field basis, the permittee shall select and implement one of the methods.

1.6.4 Frozen or Snow Covered Ground – General Spreading Restrictions

If the permittee applies manure on frozen or snow-covered ground, the permittee shall land apply the manure in compliance with all of the restrictions in s. NR 243.14(6)-(8). Some of these restrictions include:

- Any incorporation of manure on frozen or snow-covered ground must be done immediately after application.
- The permittee shall identify acceptable sites for allowable applications on frozen or snow-covered ground as part of its nutrient management plan.
- The permittee shall evaluate each field at the time of application to determine if conditions are suitable for applying manure and complying with the requirements of this permit. All surface applications of manure or process wastewater on frozen or snow-covered ground shall occur on those fields that represent the lowest risk of pollutant

delivery to waters of the state and where the application results in a winter acute loss index value of 4 or less using the Wisconsin phosphorus index.

- Manure or process wastewater may not be land applied on fields when snow is actively melting such that water is flowing off the field.
- On fields with soils that are 60 inches thick or less over fractured bedrock, manure may not be applied on frozen ground or where snow is present.
- Manure may not be incorporated on areas of fields with greater than 4 inches of snow.

[NOTE: Please refer to ch. NR 243 for all requirements contained in s. NR 243.14(6)-(8).]

1.6.5 Frozen or Snow Covered Ground – Solid Manure (12% solids or more)

The permittee may surface apply solid manure on frozen or snow-covered ground in compliance with the following restrictions:

- Solid manure may not be surface applied on slopes greater than 9%.
- Solid manure may not be surface applied from February 1 through March 31 on areas of fields where an inch or more of snow is present or where the ground is frozen.
- The surface application shall comply with the restrictions in Table 1.

Table 1
Restrictions for Surface Applying Solid Manure on Frozen and Snow Covered Ground

Criteria	Restrictions for fields with 0-6% slopes	Restrictions for fields with slopes > 6% and up to 9%
Required fall tillage practice prior to application	Chisel or moldboard plow, no-till or a department approved equivalent[A]	Chisel or moldboard plow, no-till or department approved equivalent[A]
Minimum % solids allowed	12%	> 20%
Application rate (cumulative per acre)	Not to exceed 60 lbs. P_2O_5 per winter season, the following growing season's crop P_2O_5 budget taking into account nutrients already applied, or phosphorus application restrictions specified in a department approved nutrient management plan, whichever is less	Not to exceed 60 lbs. P_2O_5 per winter season, the following growing season's crop P_2O_5 budget taking into account nutrients already applied, or phosphorus application restrictions specified in a department approved nutrient management plan, whichever is less
Setbacks from surface waters	No application allowed within SWQMA	No application allowed within 2.0 x SWQMA
Setbacks from downslope areas of channelized flow, vegetated buffers, and wetlands	200 feet	400 feet
Setbacks from direct conduits to groundwater	300 feet	600 feet

A – All tillage and farming practices shall be conducted in accordance with the following requirements; 0-2% slope = no contouring required, >2-6% slope = tillage and practices conducted along the general contour, >6% slope = tillage and farming practices conducted along the contour. The department may approve alternative tillage practices on a case-by-case basis in situations where conducting practices along the contour is not possible. Allowances for application on no-till fields only apply to fields where no-till practices have been in place for a minimum of 3 years.

1.6.6 Frozen or Snow Covered Ground – Allowances for Surface Applications of Liquid Manure (<12% solids)

The permittee is prohibited from surface applying liquid manure during February and March, and is prohibited from surface applying liquid manure on frozen or snow-covered ground except for the following conditions:

- The permittee may surface apply liquid manure on frozen or snow covered ground, including during February and March, on an emergency basis in accordance with Table 2 and s. NR 243.14(7)(d) on fields the Department has approved for emergency applications. The permittee must notify the department verbally prior to the emergency application. Unless the emergency application is necessitated by imminent impacts to the environment or human or animal health, the permittee may not apply manure to a field on an emergency basis until the department has verbally approved the application. The permittee shall submit a written description of the emergency application and the events leading to the emergency application to the department within 5 days of the emergency application.
- Liquid manure that is frozen and cannot be transferred to a manure storage facility may be surface applied on frozen or snow-covered ground, including during February and March, in accordance with the restrictions in Tables 2 and s. NR 243.14(f). Surface applications of frozen liquid manure do not require prior department approval or notification provided application sites for frozen liquid manure are identified in the approved nutrient management plan. During February and March, the permittee shall notify the department if the permittee expects to surface apply frozen liquid manure more than 5 days in any one month.

Table 2
Restrictions for Surface Applications of Liquid Manure on Frozen or Snow Covered Ground

Criteria	Restrictions for fields with 0-2% slopes	Restrictions for fields with >2-6% slopes
Required fall tillage practice prior to application	Chisel or moldboard plow or department approved equivalent[A]	Chisel or moldboard plow or department approved equivalent[A]
Application rate (cumulative per acre)	Maximum application volume of 7,000 gallons per acre per winter season, not to exceed 60 lbs. P_2O_5, the following growing season's crop P_2O_5 budget taking into account nutrients already applied or other phosphorus application restrictions specified in a department approved nutrient management plan, whichever is less	Maximum application volume of 3,500 gallons per acre per winter season, not to exceed 30 lbs. P_2O_5, the following growing season's crop P_2O_5 budget taking into account nutrients already applied, or other phosphorus application restrictions specified in a department approved nutrient management plan, whichever is less
Setbacks from surface waters	No application allowed within SWQMA	No application allowed within SWQMA
Setbacks from downslope areas of channelized flow, vegetated buffers, wetlands	200 feet	200 feet
Setbacks from direct conduits to groundwater	300 feet	300 feet

A – All tillage and farming practices shall be conducted along the contour in accordance with the following requirements; 0-2% slope = no contouring required, >2-6% slope = tillage and practices conducted along the general contour. The department may approve alternative tillage practices on a case-by-case basis in situations where conducting practices along the contour is not possible

1.6.7 Frozen or Snow Covered Ground – Process Wastewater

If a permittee land applies process wastewater on frozen or snow-covered ground, the permittee shall land apply the process wastewater in compliance with s. NR 214.17(2) through (6) and the other land application restrictions in this permit, except for the restrictions in the "Frozen or Snow Covered Ground – Solid Manure (12% solids or more)" and "Frozen or Snow Covered Ground – Allowances for Surface Applications of Liquid Manure (<12% solids)" sections of this permit.

1.6.8 Spreading Sites Submittals

Permittee requests to amend a nutrient management plan to include landspreading sites not found in an approved management plan shall include the following information:

- The location of the site on maps and aerial photographs, and soil survey maps.
- A unique site identification number
- Information used to verify the site meets locational requirements of the permit,
- A nutrient budget for the site consistent with permit requirements. This includes a completed worksheet outlining the process in determining appropriate spreading rates for each additional site, including a crop history identifying the previous season's crops and future cropping plans for each site and estimated nutrient uptake.
- A demonstration that the field(s) in question meets tolerable soil loss rate.
- Maps that show where land application is prohibited or restricted on a map or aerial photograph of the site.
- Soil samples if available for one-time applications. If the permittee wishes to use the site for subsequent applications, soil samples shall be submitted prior to additional landspreading.

1.7 Monitoring and Sampling Requirements

The permittee shall comply with the monitoring and sampling requirements specified below for the listed sampling point(s), and the following conditions.

1.7.1 Monitoring and Inspection Program

As specified in the Schedules section of this permit, the permittee shall submit a monitoring and inspection program designed to determine compliance with permit requirements. The program shall be consistent with the requirements of this section and shall identify the areas that the permittee will inspect, the person responsible for conducting the inspections and how inspections will be recorded and submitted to the department.

Visual inspections shall be completed by the permittee or designee in accordance with the following frequencies:

- Daily inspections for leakage of all water lines that potentially come into contact with pollutants or drain to storage or containment structures or runoff control systems, including drinking or cooling water lines.
- Weekly inspections to ensure proper operation of all storm water diversion devices and devices channeling contaminated runoff to storage or containment structures.
- Weekly inspections of liquid storage and containment structures. For liquid storage and containment facilities, the berms shall be inspected for leakage, seepage, erosion, cracks and corrosion, rodent damage, excessive vegetation and other signs of structural weakness. In addition, the level of material in all liquid storage and containment facilities shall be measured and recorded in feet or inches above or below the margin of safety level.
- Quarterly inspections of the production area, including outdoor animal pens, barnyards and raw material storage areas. CAFO outdoor vegetated areas shall be inspected quarterly.
- Periodic inspections and calibration of landspreading equipment to detect leaks and ensure accurate application rates for manure and process wastewater. An initial calibration of spreading equipment shall be followed by additional calibration after any equipment modification that may impact application of manure or process wastewater or after changes in product or manure or process wastewater consistency. Spreading equipment for both liquid and solid manure shall be inspected just prior to the hauling season, and equipment used for spreading liquids shall be inspected at least once per month during months when hauling occurs.

- Inspections of fields each time manure or process wastewater is surface applied on frozen or snow-covered ground to determine if applied materials have run off the application site. Inspections shall occur during and shortly after application.

The permittee shall take corrective actions as soon as practicable to address any equipment, structure or system malfunction, noncompliance, failure or other problem identified through monitoring or inspections. If the permittee fails to take corrective actions within 30 days of identifying a malfunction, noncompliance, failure or other problem, the permittee shall contact the Department immediately following the 30-day period and provide an explanation for its failure to take action.

1.7.2 Sampling Requirements

The permittee shall collect and analyze representative samples of land applied manure and process wastewater for the parameters outlined in the monitoring requirements for each sample point. The permittee shall also collect and analyze soils from fields used for manure or process wastewater applications at least once every four years. Sampling of manure, process wastewater and soils shall be done in accordance with s. NR 243.19(1)(c).

1.8 Sampling Point(s)

The permittee is authorized to use only the facilities identified below, in accordance with the conditions specified in this permit. The permittee may not install or use new facilities or structures or land apply manure or other process wastewaters from these facilities unless written Department approval is received. A new facility is any facility that is not specifically identified in this permit. If a new facility is approved in writing by the Department, the conditions in the corresponding 'New Facility' sampling point (e.g. Manure Storage Facilities, Runoff Control Systems) will apply.

1.8.1 Manure and Process Wastewater Storage Facilities - Sampling Required

In accordance with the Production Area Discharge Limitations subsection, manure and process wastewater storage facilities shall be operated and maintained to prevent discharges to navigable waters and to comply with surface water quality standards. In addition, manure and process wastewater storage facilities shall be operated and maintained to minimize leakage for the purpose of complying with groundwater standards. Unless specifically approved and designated by the Department as a sampling point, in-field unconfined storage of manure (manure stacking) is prohibited. The permittee is authorized to use facilities identified below, in accordance with the conditions specified in this permit.

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, System Description (including capacity, legal location, and action needed as applicable), and Treatment Description**
001	Pit 1 - an earthen/concrete manure storage located at the Main Dairy constructed in 1985 with approximately 1.8 million gallons of storage volume. This sample point will be used to track manure that is directly land applied from this storage facility.
002	Pit 2 - an earthen manure storage located at the Main Dairy constructed in 1997 with approximately 7 million gallons of storage capacity. This sample point will be used to track manure directly land applied from this storage facility.
003	Pit 3 - an earthen manure storage located at the Main Dairy constructed in 1999 with approximately 11 million gallons of storage capacity. This sample point will be used to track manure that is directly land applied from this storage facility.
004	Pit 4 - an earthen manure storage facility located at the Main Dairy constructed in 2009 with approximately 26 million gallons of storage capacity. This sample point will be used to track manure that is directly land applied from this storage facility.
005	Separated Solids - the storage facility utilized for storage of digested separated solids. This sample point will be used to track manure that is directly land applied from this storage facility.
006	Manure Storage 1 - the first stage of a two stage earthen/concrete manure storage located at the Heifer Facility constructed in 2005 with a storage capacity of approximately 1 million gallons. This sample point will be used to track manure that is directly land applied from this storage facility.
007	Manure Storage 2 - the second stage of a two stage concrete/earthen manure storage facility located at the Heifer Facility constructed in 2005 with a storage capacity of approximately 7 million gallons. This sample point will be used to track manure that is directly land applied from this storage facility.
010	Solid Manure - This sample point will be used to track any solid manure, bed pack, and other solid nutrient generated at the Main Dairy or Heifer Facility that is directly land applied.
011	Headland Stacking Sites - This sample point will be used to track solid manure or other solid nutrients from the Maind Dairy or Heifer Facility stored at approved headland stacking sites that is directly land applied. Only sites that are approved and identified in the nutrient management plan can be utilized in accordance with the conditions of the approval and this permit.

Manure and Process Wastewater Storage Facilities - Action Needed: For manure and process wastewater storage facilities that are to be installed, evaluated or abandoned (as indicated in the above table), see the Schedules section herein for actions required. Although this permit may require actions for installing permanent facilities, or controls, or modifications to existing facilities, interim measures shall be immediately implemented to prevent discharges of pollutants to navigable waters. Specifically, if monitoring or inspection reports indicate any storage facility may not be able to prevent discharges to navigable waters in accordance with the conditions in the Production Area Discharge Limitations subsection, the permittee shall immediately install interim control measures to contain the discharges. Plans and specifications for permanent facilities must be submitted to the Department for review and approval in accordance with Chapter 281.41, Wis. Statutes, and Chapter NR 243, Wis. Adm. Code.

1.8.2 Runoff Control System(s) - No Sampling Required

In accordance with the Production Area Discharge Limitations subsection, the permittee shall control contaminated runoff from all elements of the livestock operation to prevent a discharge of pollutants to navigable waters and to comply with surface water quality standards and groundwater standards.

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, System Description (including capacity, legal location, and action needed as applicable), and Treatment Description**
012	Feed Storage Area 1 - This sample point includes the feed storage area and associated runoff controls for feed leachate at the Main Dairy. While chemical monitoring is not required, weekly visual inspections are to be completed in accordance with the monitoring and inspection program and this permit.
013	Digester Mixing Area - This sample point includes the digester mixing area for the anearobic digester and associated runoff controls. While chemical monitoring is not required, weekly visual inspections are to be completed in accordance with the monitoring and inspection program and this permit.
014	Feed Storage Area 2 - This sample point includes the feed storage area and associated runoff controls for feed leachate at the Heifer Facility. While chemical monitoring is not required, weekly visual inspections are to be completed in accordance with the monitoring and inspection program and this permit. An evaluation of this area will be required - see the Schedules section of this permit.
015	Concrete Outdoor Lots - This sample point includes the concrete outdoor lots and associated runoff controls located at the Heifer Facility. While chemical monitoring is not required, weekly visual inspections are to be completed in accordance with the monitoring and inspection program and this permit. An evaluation of this area will be required - see the Schedules section of this permit.
016	Earthen Outdoor Lots - This sample point includes the earthen outdoor lots and associated runoff controls located at the Heifer Facility. While chemical monitoring is not required, weekly visual inspections are to be completed in accordance with the monitoring and inspection program. An evaluation will be required of this area - see the Schedules section of the permit.

Runoff Control System(s) - Action Needed: For runoff control systems that are to be installed, evaluated or abandoned (as indicated in the above table), see the Schedules section herein for actions required. Although permanent control measures may be required by this permit, interim measures shall be implemented to prevent discharges of pollutants to navigable waters. Specifically, if monitoring or inspection reports indicate that manure or process wastewater may be discharged to navigable waters from the animal production area, in violation of the conditions in the Production Area Discharge Limitations subsection, the permittee shall immediately install interim control measures to contain the discharges. Plans and specifications for permanent runoff controls must be submitted to the Department for review and approval in accordance with Chapter 281.41. Wis. Statutes, and Chapter NR 243, Wis. Adm. Code.

1.8.3 Sampling Point 001 - Pit 1; 002- Pit 2; 003- Pit 3; 004- Pit 4; 006- Manure Storage 1; 007- Manure Storage 2

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limits and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Nitrogen, Total		lb/1000gal	2/Discharge	Grab	
Nitrogen, Available		lb/1000gal	2/Discharge	Calculated	
Phosphorus, Total		lb/1000gal	2/Discharge	Grab	
Phosphorus, Available		lb/1000gal	2/Discharge	Calculated	

Solids, Total		Percent	2/Discharge	Grab	

Reporting: Sampling test results shall be submitted with the Annual Report. Sampling is only required when land application has actually occurred.

Daily Log Requirements

The permittee shall document all discharge and monitoring activities on daily log report form 3200-123A or a Department approved equivalent log sheet. Originals of the daily log reports shall be kept by the permittee as described under Record Keeping and Retention in the Standard Requirements section, and if requested, made available to the Department.

Parameters	Units
Date of Application	Date
Field ID	Number/Name
Acres Applied	Number of Acres
Manure/Process Wastewater Source	Specify Storage Facility or Barn
Spreader Volume	Tons or Gallons
Number of Loads	Number
Soil Conditions	Dry, Wet, Frozen, Snow Covered
Temperature During Application	°F
Precipitation During Application	Describe Precipitation
Application Method	Surface Applied, Injected, Incorporated

Annual Report

The permittee shall submit an Annual Report, including Form 3200-123 or a Department approved equivalent, that summarizes all landspreading activities and includes the information identified below, the lab analyses of the manure and other waste landspread, the "T" compliance worksheet for all fields, and the soil test frequency in the past four years. The Annual Report is due each year by the date specified in the Schedules section of this permit. Nitrogen and phosphorus from all sources applied to a given field, including commercial fertilizers, shall be included in the "Total Nitrogen" and "Total Phosphorus" sections of the Annual Report.

Parameters	Units	Sample Type
Date of Application	Date	-
Field ID	Number/Name	-
Acres Applied	Number of Acres	-
Slope	Percent	-
Soil Test P Ave.	ppm	-
Manure Source	-	Composite
Current Crop	-	-

Annual Report

The permittee shall submit an Annual Report, including Form 3200-123 or a Department approved equivalent, that summarizes all landspreading activities and includes the information identified below, the lab analyses of the manure and other waste landspread, the "T" compliance worksheet for all fields, and the soil test frequency in the past four years. The Annual Report is due each year by the date specified in the Schedules section of this permit. Nitrogen and phosphorus from all sources applied to a given field, including commercial fertilizers, shall be included in the "Total Nitrogen" and "Total Phosphorus" sections of the Annual Report.

Parameters	Units	Sample Type
Crop Nitrogen Needs (per soil test)	Pounds/Acre	-
Crop P_2O_5 Needs (per soil test)	Pounds/Acre	-
Manure/Process Wastewater Analysis: Available Nitrogen	Pounds/1000 Gallons	Calculated
Manure/Process Wastewater Analysis: Available P_2O_5	Pounds/1000 Gallons	Calculated
Manure/Process Wastewater Application Rate	Gallons/Acre	-
Manure/Process Wastewater Applied: Nitrogen	Pounds/Acre	-
Manure/ Process Wastewater Applied: P_2O_5	Pounds/Acre	-
Previous Crop	-	-
Legume Nitrogen Credit	Pounds/Acre	-
Second Year Manure Credit	Pounds/Acre	-
Additional Fertilizer: Nitrogen	Pounds/Acre	-
Additional Fertilizer: P_2O_5	Pounds/Acre	-
Total Nitrogen Applied	Pounds/Acre	-
Total P_2O_5 Applied	Pounds/Acre	-
Soil Conditions	Dry, Wet, Frozen, Snow Covered	-
Application Method	Surface Applied, Injected, Incorporated	-
Banked	Yes/No	-
Field Restrictions	Per Nutrient Management Plan	-

1.8.4 Sampling Point 005 - Separated Solids; 010- Solid Manure; 011- Headland Stacking Sites

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limits and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Nitrogen, Total		lbs/ton	Quarterly	Grab	
Nitrogen, Available		lbs/ton	Quarterly	Calculated	
Phosphorus, Total		lbs/ton	Quarterly	Grab	
Phosphorus, Available		lbs/ton	Quarterly	Calculated	
Solids, Total		Percent	Quarterly	Grab	

Reporting: Sampling test results shall be submitted with the Annual Report. Sampling is only required when land application has actually occurred.

Daily Log Requirements The permittee shall document all discharge and monitoring activities on daily log report form 3200-123A or a Department approved equivalent log sheet. Originals of the daily log reports shall be kept by the permittee as described under Record Keeping and Retention in the Standard Requirements section, and if requested, made available to the Department.	
Parameters	**Units**
Date of Application	Date
Field ID	Number/Name
Acres Applied	Number of Acres
Manure/Process Wastewater Source	Specify Storage Facility or Barn
Spreader Volume	Tons or Gallons
Number of Loads	Number
Soil Conditions	Dry, Wet, Frozen, Snow Covered
Temperature During Application	°F
Precipitation During Application	Describe Precipitation
Application Method	Surface Applied, Injected, Incorporated

Annual Report

The permittee shall submit an Annual Report, including Form 3200-123 or a Department approved equivalent, that summarizes all landspreading activities and includes the information identified below, the lab analyses of the manure and other waste landspread, the "T" compliance worksheet for all fields, and the soil test frequency in the past four years. The Annual Report is due each year by the date specified in the Schedules section of this permit. Nitrogen and phosphorus from all sources applied to a given field, including commercial fertilizers, shall be included in the "Total Nitrogen" and "Total Phosphorus" sections of the Annual Report.

Parameters	Units	Sample Type
Date of Application	Date	-
Field ID	Number/Name	-
Acres Applied	Number of Acres	-
Slope	Percent	-
Soil Test P Ave.	ppm	-
Manure Source	-	Composite
Current Crop	-	-
Crop Nitrogen Needs (per soil test)	Pounds/Acre	-
Crop P_2O_5 Needs (per soil test)	Pounds/Acre	-
Manure Analysis: Available Nitrogen	Pounds/Ton	Calculated
Manure Analysis: Available P_2O_5	Pounds/Ton	Calculated
Manure Application Rate	Tons/Acre	-
Manure/Process Wastewater Applied: Nitrogen	Pounds/Acre	-
Manure/ Process Wastewater Applied: P_2O_5	Pounds/Acre	-
Previous Crop	-	-
Legume Nitrogen Credit	Pounds/Acre	-
Second Year Manure Credit	Pounds/Acre	-
Additional Fertilizer: Nitrogen	Pounds/Acre	-
Additional Fertilizer: P_2O_5	Pounds/Acre	-
Total Nitrogen Applied	Pounds/Acre	-
Total P_2O_5 Applied	Pounds/Acre	-
Soil Conditions	Dry, Wet, Frozen, Snow Covered	-
Application Method	Surface Applied, Injected, Incorporated	-
Banked	Yes/No	-

Annual Report

The permittee shall submit an Annual Report, including Form 3200-123 or a Department approved equivalent, that summarizes all landspreading activities and includes the information identified below, the lab analyses of the manure and other waste landspread, the "T" compliance worksheet for all fields, and the soil test frequency in the past four years. The Annual Report is due each year by the date specified in the Schedules section of this permit. Nitrogen and phosphorus from all sources applied to a given field, including commercial fertilizers, shall be included in the "Total Nitrogen" and "Total Phosphorus" sections of the Annual Report.

Parameters	Units	Sample Type
Field Restrictions	Per Nutrient Management Plan	-

2 Schedules

2.1 Emergency Response Plan

Update the emergency response plan in accordance with Section 3.2.3 of the permit.

Required Action	Date Due
Update Emergency Response Plan: Update the written emergency response plan for the Main Dairy and Heifer Facility to be kept on-site and available to the Department upon request.	11/30/2010

2.2 Monitoring & Inspection Program

Update the monitoring and inspection program and submit it to the Department for review in accordance with Section 1.7 of the permit.

Required Action	Date Due
Update Monitoring and Inspection Program: Submit an updated monitoring and inspection program to the Department.	01/31/2011

2.3 Annual Reports

Submit annual reports by January 31st of each year in accordance with Section 3.2.9 of the permit.

Required Action	Date Due
Submit Annual Report #1: Submit an annual report for calendar year 2010.	01/31/2011
Submit Annual Report #2: Submit an annual report for calendar year 2011.	01/31/2012
Submit Annual Report #3: Submit an annual report for calendare year 2012.	01/31/2013
Submit Annual Report #4: Submit an annual report for calendar year 2013.	01/31/2014
Submit Annual Report #5: Submit an annual report for calendar year 2014.	01/31/2015
Ongoing Annual Reports: Continue to submit Annual Reports by January 31st of each year until permit reissuance has been completed.	

2.4 Nutrient Management Plan

Submit a nutrient management plan update by March 31st of each year in accordance with Section 1.6 of the permit.

Required Action	Date Due
Nutrient Management Plan Submittal: Submit any necessary updates to the nutrient management plan to meet the conditions outlined in this permit.	12/31/2010
Nutrient Management Plan Annual Update #1: Submit an annual update to the nutrient management plan in accordance with NR 243 and permit conditions.	03/31/2011
Nutrient Management Plan Annual Update #2: Submit an annual update to the nutrient management plan in accordance with NR 243 and permit conditions.	03/31/2012
Nutrient Management Plan Annual Update #3: Submit an annual update to the nutrient management plan in accordance with NR 243 and permit conditions.	03/31/2013

Nutrient Management Plan Annual Update #4: Submit an annual update to the nutrient management plan in accordance with NR 243 and permit conditions.	03/31/2014
Nutrient Management Plan for Permit Renewal: Submit a complete nutrient management plan as part of the permit renewal application	04/30/2015
Ongoing Nutrient Management Plan Annual Updates: Continue to submit annual updates to the nutrient management plan by March 31st of each year until permit reissuance has been completed.	

2.5 Permanent Markers - Installation

Install permanent markers for the maximum operating level, margin of safety and 180 day storage requirement in all liquid manure storages in accordance with Section 1.3 of the permit.

Required Action	Date Due
Complete Installation: Complete installation of permanent markers. Installation documentation should be included in the Annual Report #1.	12/31/2010

2.6 Feed Storage - Engineering Evaluation

Conduct an evaluation of the feed storage area at the Heifer Facility. Submit plans and specifications for proposed modifications or repairs in accordance with Sections 3.2.6 and 3.2.7 of the permit.

Required Action	Date Due
Retain Qualified Expert: The permittee shall retain a qualified expert to complete an engineering evaluation for the Heifer Facility feed storage area and report the name of the expert to the Department.	12/31/2010
Written Description of Existing System: Submit an engineering evaluation that includes a written description of the existing feed storage area at the Heifer Facility and its adequacy to meet the conditions found in the Production Area Discharge Limitations subsection and NR 243.15, Wis. Adm. Code.	06/30/2011
Plans and Specifications: Submit plans and specifications for Department review and approval to permanently correct any adverse conditions identified as part of the engineering evaluation for the Heifer Facility feed storage area in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code.	09/30/2011
Corrections and Post Construction Documentation: Complete construction of improvements to permanently correct any adverse conditions in concurrence with and approval by the Department, by the specified Date Due. Submit post construction documentation within 60 days of completion of the project.	10/31/2012

2.7 Runoff Control System - Engineering Evaluation

Conduct an evaluation of the concrete outdoor lots and earthen lots at the Heifer Facility. Submit plans and specifications for proposed modifications or repairs in accordance with Sections 3.2.6 and 3.2.7 of the permit.

Required Action	Date Due
Complete Engineering Evaluation: Retain a qualified expert to complete an engineering evaluation for the concrete outdoor lots and earthen lots at the Heifer Facility and report the name of the expert to the Department.	12/31/2010

Written Description of Existing System: Submit a written description of the existing runoff control system for the concrete outdoor lots and earthen lots at the Heifer Facility and their adequacy to permanently meet the conditions in the Production Area Discharge Limitations and Runoff Control subsections and s. NR 243.15, Wis. Adm. Code. (See Standard Requirements for report details.)	06/30/2011
Plans and Specifications: Submit plans and specifications for Department review and approval to permanently correct any adverse runoff control conditions in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code.	09/30/2011
Corrections and Post Construction Documentation: Complete construction of runoff controls that permanently correct any adverse runoff control conditions in concurrence with and approval by the Department, by the specified Date Due. Submit post construction documentation within 60 days of completion of the project.	10/31/2012

2.8 Submit Permit Reissuance Application

Submit a complete reissuance application in accordance with Section 3.2.10 of the permit.

Required Action	Date Due
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	04/30/2015

3 Standard Requirements

3.1 General Conditions

NR 205, Wisconsin Administrative Code: The conditions in s. NR 205.07(1), Wis. Adm. Code, are included by reference in this permit. The permittee shall comply with all of these requirements. Some of these requirements are outlined in the Standard Requirements section of this permit. Requirements not specifically outlined in the Standard Requirement section of this permit can be found in s. NR 205.07(1).

3.1.1 Duty to comply

The permittee shall comply with all conditions of the permit. Any permit noncompliance is a violation of the permit and is grounds for enforcement action, permit revocation or modification, or denial of a permit reissuance application.

3.1.2 Permit Actions

As provided in s. 283.53, Stats., after notice and opportunity for a hearing the permit may be modified or revoked and reissued for cause. If the permittee files a request for a permit modification, revocation or reissuance, or a notification of planned changes or anticipated noncompliance, this action by itself does not relieve the permittee of any permit condition.

3.1.3 Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege. The permit does not authorize any injury or damage to private property or any invasion of personal rights, or any infringement of federal, state or local laws or regulations.

3.1.4 Schedules

Reports of compliance or noncompliance with interim and final requirements contained in any schedule of the permit shall be submitted in writing within 14 days after the schedule date, except that progress reports shall be submitted in writing on or before each schedule date for each report. Any report of noncompliance shall include the cause of noncompliance, a description of remedial actions taken and an estimate of the effect of the noncompliance on the permittee's ability to meet the remaining schedule dates.

3.1.5 Inspection and Entry

The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:

- enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records are required under the conditions of the permit;
- have access to and copy, at reasonable times, any records that are required under the conditions of the permit;
- inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under the permit; and
- sample or monitor at reasonable times, for the purposes of assuring permit compliance, any substances or parameters at any location.

3.1.6 Transfers

A permit is not transferable to any person except after notice to the Department. In the event of a transfer of control of a permitted facility, the prospective owner or operator shall file a new permit application and shall file a stipulation of permit acceptance with the Department WPDES permit section. The Department may require modification or revocation and reissuance of the permit to change the name of the permittee and to reflect the requirements of ch. 283, Stats.

3.1.7 Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any adverse impact on the waters of the state resulting from noncompliance with the permit.

3.1.8 Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Department may request to determine whether cause exists for modifying, revoking or reissuing the permit or to determine compliance with the permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by the permittee.

3.1.9 Recording of Results-Sampling

For each manure, process wastewater or soil sample taken by the permittee, the permittee shall record the following information:

- The date, exact place, method and time of sampling or measurements,
- The individual or lab that performed the sampling or measurements,
- The date of the analysis was performed,
- The individual who performed the analysis,
- The analytical techniques or methods used
- The results of the analysis.

3.1.10 Recording of Results-Inspections

For each inspection conducted by the permittee, the permittee shall record the following information:

- The date and name of the person(s) performing the inspection,
- An inspection description, including components inspected,
- Details of what was discovered during the inspection,
- Recommendations for repair or maintenance,
- Any corrective actions taken.

3.1.11 Spill Reporting

The permittee shall notify the Department in in the event that a spill or accidental release of any material or substance results in the discharge of pollutants to the waters of the state at a rate or concentration greater than the effluent limitations or restrictions established in this permit, or the spill or accidental release of the material that is unregulated in this permit, unless the spill or release of pollutants has been reported to the Department in accordance with s. NR 205.07 (1)(s), Wis. Adm. Code, and the "Noncompliance - 24 Hour Reporting,"section of this permit.

3.1.12 Planned Changes

The permittee shall report to the Department any facility or operation expansion, production increase or process modifications which will result in new, different or increased amount of manure or process wastewater produced or handled by the permittee or which will result in new, different or increased discharges of pollutants to waters of the state. The report shall either be a new permit application, or if the new discharge will not violate the conditions of this permit, a written notice of the planned change. The report shall contain a description of the planned change, an estimate of the new, different or increased discharge of pollutants and a description of the effect of change will have on current manure and process wastewater handling practices. Changes cannot be implemented prior to reporting changes to the Department. Following receipt of this report, the Department may require that the permittee submit plans and specifications, or modify its nutrient management plan to address the planned change. Changes requiring Department action or approval may not be initiated prior to Department action or approval.

3.1.13 Submittal of Plans and Specifications

In accordance with s. NR 243.15, the permittee shall submit plans and specifications for proposed new or upgraded reviewable facilities or systems to the Department for approval prior to construction. Post construction documentation for these projects shall be submitted within 60 days of completion of the project, or as otherwise specified by the Department.

3.1.14 Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the department, it shall promptly submit such facts or correct information to the department.

3.1.15 Noncompliance - 24 Hour Reporting

The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. This includes any upset which exceeds any effluent limitation in the permit, or violations of the discharge limitations listed in the permit.

NOTE: Section 292.11(2)(a), Wisconsin Statutes, requires any person who possesses or controls a hazardous substance or who causes the discharge of a hazardous substance to notify the Department of Natural Resources **immediately** of any discharge not authorized by the permit. The discharge of a hazardous substance that is not authorized by this permit or that violates this permit may be a hazardous substance spill. To report a hazardous substance spill, call DNR's 24-hour HOTLINE at **1-800-943-0003.**

3.1.16 Reports and Submittal Certification

Signature(s) on reports required by this permit shall certify to the best of the permittee's knowledge the reports to be true, complete and accurate. All reports required by this permit shall be signed:

- for a corporation by a principal executive officer of at least the level of Vice President or his duly authorized representative having overall responsibility for the operation of the facility of which this permit issued,
- for a partnership by a general partner, and
- for a sole proprietorship by the proprietor.

3.2 Livestock Operation General Requirements

3.2.1 Responsibility for Manure and Process Wastewater

The permittee is responsible for the storage, management and land application of all manure and process wastewater generated by the operation. The permittee is also responsible for any manure or process wastewater received from non-permitted operations that are accepted by the permittee for storage, management or land application.

3.2.2 Distribution of Manure and Process Wastewater

All manure and process wastewater generated by the permittee is the responsibility of the permittee and shall be stored and applied in compliance with the terms and conditions of this permit and the approved nutrient management plan, except if the manure or process wastewater is distributed to another person in accordance with s. NR 243.142 and the Department has approved the transfer of responsibility in writing.

To transfer responsibility for handling, storage and application of manure or process wastewater, a permittee shall submit a written request to the Department. At minimum the request shall indicate how the permittee will comply

with all conditions identified in ch. NR 243.142(3), Wis. Adm. Code. If approved, the permittee will be responsible for the following recordkeeping and reporting:

- Update the nutrient management plan to include the estimated amount of manure and process wastewater to be transferred, and record the actual amount transferred at the time of transfer.
- Maintain records that identify the name and address of the recipient of the manure or process wastewater, quantity, and dates of transfer.
- Provide the recipient with written information regarding the nutrient content (nitrogen and phosphorus at minimum) of the manure and process wastewater.
- Submit transfer reports to the Department with the annual report.
- Records shall be maintained for at least 5 years.

Upon written approval from the Department, the permittee is not responsible for the land application, use or disposal of distributed manure or process wastewater if the manure or process wastewater is distributed in compliance with the conditions of the Department approval and s. NR 243.142.

3.2.3 Emergency Response Plans

Within 30 days of the effective date of the permit, the permittee shall develop a written emergency response plan, or update an existing plan if necessary, in accordance with s. NR 243.13(6). The plan shall be made available to the Department upon request. The emergency response plan shall be reviewed and, if appropriate or necessary, amended whenever the operation undergoes significant expansions or other changes that affect the volume or location of potential unauthorized spills or discharges. The plan shall be amended as needed to reflect changes in available equipment, available clean-up contractors or procedures to address unauthorized spills or discharges, or amended in accordance with comments provided by the department. The plan shall be retained at the production area and the permittee shall notify all employees involved in manure and process wastewater handling of the location of the plan.

3.2.4 Mortality Management

Animal carcasses may not be disposed of in a manner that results in a discharge of pollutants to surface waters, violates groundwater standards or impairs wetland functional values. Animal carcasses may not be disposed of directly into waters of the state. In addition, carcasses may not be disposed of in liquid manure or process wastewater containment, storage or treatment facilities unless the containment, storage or treatment facility is adequately designed to contain and treat carcasses and the facility has been approved by the department for that use.

The permittee shall record the date and method of carcass disposal.

[NOTE: The permittee should be aware that there are additional restrictions on the disposal of animal carcasses in ch. 95, Stats., and ATCP 3, Wis. Adm. Code. Furthermore, there may be local regulations regarding disposal of carcasses. If a carcass is disposed of off-site, the disposal may be subject to the requirements in ch. NR 502.12 or 518, Wis. Adm. Code]

3.2.5 Department Review of Nutrient Management Plans

The Department reserves the right to review the Nutrient Management Plan at any time for application rates and cover crop nutrient removal rates, as well as the timing and methods of application. If the Department determines that a landspreading site is no longer acceptable for manure and process wastewater applications, the permittee shall modify the Nutrient Management Plan to remove the site from the plan. In addition, if the Department determines application rates need to be adjusted for individual fields, the permittee shall modify the Nutrient Management Plan. All Department initiated modifications shall be completed by the permittee within 3 months of written notification from the Department.

3.2.6 Existing Runoff Control System(s) Evaluation

The following information shall be included in the written report evaluating the existing runoff control system(s):

- a narrative providing general background and operational information on the existing runoff control system(s), including a full description of each system's components;
- the adequacy of the system(s) to permanently meet the conditions in the Production Area Discharge Limitations and Runoff Control subsections;
- scaled drawings showing the locations of the runoff control system, any surface water, water supply wells, property boundaries, and other pertinent information;
- any post construction documentation available, including the date and materials of construction.
- an assessment of the ability of the facility to meet the design requirements for runoff control in s. NR 243.15; and
- any proposed actions to address issues identified as part of the evaluation

3.2.7 Runoff Control Systems - Installation Plan Requirements

New construction of runoff control systems shall be in accordance with s. NR 243.15. Exemptions to the design criteria may be given on a case-by-case basis. Prior written approval is required. The following (minimum) information shall be included in the plans and specifications submitted for the new construction of a runoff control system(s) (three complete copies are required):

- a narrative describing the proposed system including a full description of the system's proposed components;
- a written management and site assessment;
- an operation and maintenance plan;
- an assessment of the ability of the system(s) to meet the applicable design requirements in s. NR 243.15;
- the adequacy of each proposed system to permanently meet the conditions in the Production Area Discharge Limitations and Runoff Control subsections;
- the proximity of bedrock and the water table to the proposed elevation of each system's floors verified through on-site soil test borings or pits;
- scaled drawings showing the design details and locations of each proposed system, any surface water, water supply wells, property boundaries, and other pertinent information;
- details concerning the proposed materials of construction; and
- relevant engineering calculations.

3.2.8 Record Keeping and Retention

The permittee shall keep records associated with production area and land application activities in accordance with s. NR 243.19(2). The permittee shall retain these records and copies of all reports required by the permit, and records of all data used to complete the application for the permit for a period of at least 5 years from the date of the sample, measurement, report or application. The Department may request that this period be extended by issuing a public notice to modify the permit to extend this period. These records shall be made available to the Department upon request.

Note: A form for recording daily land application activities (Form 3200-123A) can be obtained at regional offices of the Department or the Department's Bureau of Watershed Management, 101 S. Webster St., P.O. Box 7921, Madison, Wisconsin 53707.

3.2.9 Reporting Requirements

The permittee shall submit the following reports in accordance with s. NR 243.19(3)

- **Corrective Actions:** If the permittee fails to take corrective action within 30 days of identifying a malfunction, failure, permit noncompliance or other identified problem, the permittee shall contact the Department immediately following the 30-day period and provide an explanation for its failure to take action.
- **Quarterly Reports:** The permittee shall summarize the results of inspections conducted at the production area in a written quarterly report. The permittee shall maintain the quarterly reports onsite until the quarterly report is submitted to the Department as part of the annual report.

- **Annual Reports:** The permittee shall submit written annual reports to the department by the date specified in the Schedules section of permit for all manure and other process wastewater that is generated by the permittee. These annual reports shall cover quarterly reports, annual spreading activities and other information required in s. NR 243.19(3) for the previous calendar year or cropping year, as specified in this permit.

Note: Form 3200-123 (Annual Spreading Report) can be obtained at regional offices of the department or the department's Bureau of Watershed Management, 101 S. Webster St., P.O. Box 7921, Madison, Wisconsin 53707.

3.2.10 Duty to Maintain Permit Coverage

The permittee shall submit a reissuance application in accordance with s. NR 243.12(2)(b) at least 180 days prior to the expiration date of its current WPDES permit, unless the permittee submits a letter to the Department documenting all of the following:

- That the permittee has ceased operation or is no longer defined as a large CAFO under s. NR 243.03(28).
- That the permittee has demonstrated to the Department's satisfaction that it has no remaining potential to discharge of manure or process wastewater pollutants to waters of the state that was generated while the operation was a CAFO

4 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Date	Page
Emergency Response Plan -Update Emergency Response Plan	November 30, 2010	17
Monitoring & Inspection Program -Update Monitoring and Inspection Program	January 31, 2011	17
Annual Reports -Submit Annual Report #1	January 31, 2011	17
Annual Reports -Submit Annual Report #2	January 31, 2012	17
Annual Reports -Submit Annual Report #3	January 31, 2013	17
Annual Reports -Submit Annual Report #4	January 31, 2014	17
Annual Reports -Submit Annual Report #5	January 31, 2015	17
Annual Reports -Ongoing Annual Reports	January 31st each year	17
Nutrient Management Plan -Nutrient Management Plan Submittal	December 31, 2010	17
Nutrient Management Plan -Nutrient Management Plan Annual Update #1	March 31, 2011	17
Nutrient Management Plan -Nutrient Management Plan Annual Update #2	March 31, 2012	17
Nutrient Management Plan -Nutrient Management Plan Annual Update #3	March 31, 2013	17
Nutrient Management Plan -Nutrient Management Plan Annual Update #4	March 31, 2014	18
Nutrient Management Plan -Nutrient Management Plan for Permit Renewal	April 30, 2015	18
Nutrient Management Plan -Ongoing Nutrient Management Plan Annual Updates	March 31st each year	18
Permanent Markers - Installation -Complete Installation	December 31, 2010	18
Feed Storage - Engineering Evaluation -Retain Qualified Expert	December 31, 2010	18
Feed Storage - Engineering Evaluation -Written Description of Existing System	June 30, 2011	18
Feed Storage - Engineering Evaluation -Plans and Specifications	September 30, 2011	18
Feed Storage - Engineering Evaluation -Corrections and Post Construction Documentation	October 31, 2012	18
Runoff Control System - Engineering Evaluation -Complete Engineering Evaluation	December 31, 2010	18
Runoff Control System - Engineering Evaluation -Written Description of Existing System	June 30, 2011	19
Runoff Control System - Engineering Evaluation -Plans and Specifications	September 30, 2011	19
Runoff Control System - Engineering Evaluation -Corrections and Post Construction Documentation	October 31, 2012	19
Submit Permit Reissuance Application -Reissuance Application	April 30, 2015	19

Submit all information required by this permit to:

Wisconsin Department of Natural Resources
Attn: Agricultural Specialist – Lakeshore Basin
2984 Shawano Ave
Green Bay, WI 54313-6727

State of Wisconsin
Department of Natural Resources
PO Box 7921, Madison WI 53707-7921
dnr.wi.gov

CAFO Nutrient Management Plan
Substantial Revision - New Fields Request

Form 3400-204 (1/14)

Notice: Pursuant to NR 243.14(1)(c), Wis. Adm. Code, this application must be completed by the owner or operator of a concentrated animal feeding operation (CAFO) to request approval for adding fields to their Nutrient Management Plans. Personal information collected will be used for administrative purposes and may be provided to requester's to the extent required by Wisconsin's Open Records laws (19.31 - 19.39, Wis. Stats.).

I. Facility Information

Facility Name	WPDS Permit Number	Number of New Fields Requested
Dairy Dreams	WI-00	3

Other Information

Fields were inspected for distance to bedrock, the hazard maps reflect the field areas that cannot be spread.

II. Field Information

Field Name	Acres	County	Village or Town	Township	Range	E/W	Section	Landowner Name
AM-1		Door	Brussels	26 N	24		32	Ex. 6 Personal Privacy (PP)
RB-1		Door	Brussels	26 N	24		29	
FJ-1		Door	Union	26 N	23		23	
				N				
				N				

OR

☐ See Attached Excel Report for Field Specific Information

III. Land Application Information

Anticipated months, method(s) and **frequency** of land application (select all that apply):

☐ Jan ☐ Feb ☐ Mar ☒ Apr ☒ May ☒ June ☒ July ☒ Aug ☐ Sept ☒ Oct ☐ Nov ☐ Dec

☒ Surface application
☒ Injection
☐ Incorporation - immediate
☐ Incorporation - within 48 hours
☐ Irrigation Equipment

☐ 1-2 Days
☐ 3-4 Days
☐ 5-7 Days
☐ Other: _____

Additional Information

IV. Additional Field and Land Application Information

Yes	No	
		1. Do attached reports contain the following **field specific** information?
◉	○	Soil test date and results
◉	○	Planned crop rotation and time length
◉	○	T, Tolerable Soil Loss, rotational calculation
◉	○	Application and Budgeting of Nutrients consistent with NRCS 590 Standard and UW soil fertility recommendations (A2809)
◉	○	Quantity of Manure, process wastewater and other nutrient sources to be land applied

◉	○	Phosphorus Index rotation calculation
○	○	P balance rotation calculation
○	○	Manure application method
		2. When selecting application rate(s) and timing have the following items been evaluated?
◉	○	Prior Manure and Process Wastewater test results
◉	○	Soil Nutrient levels
◉	○	First and Second year manure and legume credits
◉	○	Nutrient applications from other sources (commercial fertilizers, bio-solids, wastewater)
◉	○	Crop residue and tillage methods
◉	○	Predominant soil in field versus dominant critical soil
○	◉	Soil temperature, application rate and timing restrictions for N restricted soils
◉	○	Soil areas with groundwater and bedrock within 24 inches of surface
◉	○	3. Do any fields contain NR 243 SWQMA?
		4. What application practices will be implemented on fields with NR 243 SWQMA?
◉	○	Injection or immediate incorporation and 25 foot setbacks from navigable waters, conduits to navigable waters and wetlands
◉	○	Surface application and 100 foot setback from navigable waters, conduits to navigable waters; 25 foot wetlands setback
◉	○	Surface application and 25 foot setback from navigable waters, conduits to navigable water and wetlands, provided application is on long term no till ground, has > 30% crop residue and hydraulic application rate reflects NR 243 soil texture and max application rate requirements
◉	○	Other (please explain): On field FJ-1 the field bed rock ridge slopes away from the center of the hazard area on both sides. Therefore I believe my set backs are more than enough. Manure cannot run up hill.
		5. What Field Phosphorus management method was selected?
○	○	Soil Test P - all fields
◉	○	Phosphorus Index - all fields
○	○	Soil Test P and Phosphorus Index combination - based upon soil test result > or < 100 ppm P
○	○	6. Do fields > 100 ppm P meet NR 243 P management requirements?
		7. Do field restriction map(s) reflect the following NR 243 or NRCS 590 requirements?
◉	○	Navigable waters, conduits (e.g., grassed waterways, ditches) and applicable setbacks
○	◉	Areas of concentrated flow, reoccurring gullies or ephemeral erosion
◉	○	No applications within 25 feet of wetlands
◉	○	No applications within 100 feet of direct conduits to groundwater
◉	○	No applications within 100 feet of private wells and 1000 feet of commercial wells
◉	○	No applications to areas with groundwater or bedrock within 24 inches of surface
○	◉	Soils with high potential for N leaching to groundwater
○	◉	Drain tile locations, including inlets and outlets
○	◉	Winter (Frozen or Snow Covered Ground) Spreading or Stacking

○	◉	8. Are any fields planned for manure spreading or manure stacking during winter (frozen or snow covered ground) conditions?
○	◉	9. Do selected winter spreading field(s) meet all NR 243 winter (frozen or snow covered ground) manure spreading or stacking requirements?

V. Certification

I certify that the CAFO Nutrient Management Plan criteria listed above is:
(1) in compliance with all NR 243.14, Wis. Adm. Code, and applicable NRCS 590 criteria, and
(2) all plan requirements have been reviewed by farm operator/owner

I understand that pursuant to s. 283.91(4), Wis. Stats., any person who knowingly makes any false statement representation or certification in a document filed with the DNR may be punished by a fine of not more than $10,000 or by imprisonment for not more than 6 months or both.

Ex. 6 Personal Privacy (PP)

Signature of Official Farm Representative

6-10-14
Date

SnapPlus Narrative and Crops Report

Starting Year 2014

Reported For Dairy Dreams Cooperating Farms:hay

Printed 2014-06-09

Plan Completion/Update Date: 2014-05-15

SnapPlus Version 2.0 built on 2013-12-13

C:\SnapPlus2\MySnapPlusData\Dairy Dreams Dairy Dreams Cooperating Farms.snapDb

Prepared for:
Dairy Dreams Cooperating Farms
Ex. 6 Personal Privacy (PP)
Dairy Dreams
Ex. 6 Personal Privacy (PP)
Casco, 54205

Prepared by: Benjamin Todd Koss
KOSS AG LLC
E3991 Cr-J
Kewaunee,Kewaunee,54216
920-255-330, btkoss14151@yahoo.com

SubFarm has 3 fields totalling 84.6 acres

Farm Narrative: Narrative Ex. 6 Personal Privacy (PP) wants to receive manure on the hay fields in this report. [redacted] is a cash cropper that sold his hay to Dairy Dreams. This agreement is beneficial to both parties. All of the fields in this plan have been checked for distance to bed rock on the soil types that are 0-40 in deep. The hazard maps reflect the areas that did not pass and are clearly marked in a red hash.I also calculated the acres and the spreadable aces are in snaplus but the maps reflect the tillable acres. Field AM-2 was also checked and found to have a minimum of 33 inches of soil to bedrock. AM-2 has been approved and the entire field will be spread. The fields in this report meet "T", the fertility has been planned for the entire rotation. Upon approval these fields will remain in Dairy Dreams NMP and annual reports. I have included the maps and reports needed for your approval If you have any questions please contact me on my mobl Ex. 6 Personal Privacy (PP) Email me at Ex. 6 Personal Privacy (PP) Thank you.

Concentrated Flow Notes: For concentrated flow channels. Field monitoring will continue. If any appear they will be seeded to grass and buffers will appear on the hazard maps.

Field Name	Acres	2014	2015	2016	2017	2018
Ex. 6 Personal Privacy (PP)	26.8	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre
	22	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre
	35.8	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre	Alfalfa None 3.6-4.5 ton/acre

Summary by Crop:
NOTE: Yields calculated using the midpoint of the SnapPlus yield goal range for each crop.

Crops Grouped By Subfarm		2014	2015	2016	2017	2018
Alfalfa	Acres	85	85	85	85	85
	ton	344	344	344	344	344

SnapPlus Soil Test Report

Reported For Dairy Dreams Cooperating Farms:hay

Printed 2014-06-09

Plan Completion/Update Date 2014-05-15

SnapPlus Version 2.0 built on 2013-12-13

C:\SnapPlus2\MySnapPlusData\Dairy Dreams Dairy Dreams Cooperating Farms.snapDb

Prepared for:
Dairy Dreams Cooperating Farms
Ex. 6 Personal Privacy (PP)
Dairy Dreams
Ex. 6 Personal Privacy (PP)
Casco, 54205

Prepared by: Benjamin Todd Koss
KOSS AG LLC
E3991 Cr-J
Kewaunee,Kewaunee,54216
920-255-330, btkoss14151@yahoo.com

		Predominant				Samples				In ppm			
Field Name	Acres	Soil Map Symbol	Soil Name	Soil Test Date	Soil Test Lab	Lab Number	Rec. #	Actual #	pH	OM %	P	K	S	CEC
Ex. 6 Personal Privacy (PP)	26.8	KoB	KOLBERG	2012-11-12	Ag Source	731600	5	7	7.2	3.2	19	80	0	0
	22	EmB	EMMET	2011-11-15	Ag Source	731600	4	6	7.9	2.8	32	203	0	0
	35.8	KhB	KEWAUNEE	2012-11-12	Ag Source	731269	7	8	7.2	2.8	21	104	0	0

SnapPlus Spreading and Nutrient Management Sorted By Crop Report

Crop Year 2014

Reported For Dairy Dreams Cooperating Farms:hay

Printed 2014-06-09

Plan Completion/Update Date 2014-05-15

SnapPlus Version 2.0 built on 2013-12-13

C:\SnapPlus2\MySnapPlusData\Dairy Dreams Dairy Dreams Cooperating Farms.snapDb

Prepared for:
Dairy Dreams Cooperating Farms

Dairy Dreams

Casco, 54205

Prepared by: Benjamin Todd Koss
KOSS AG LLC
E3991 Cr-J
Kewaunee,Kewaunee,54216
920-255-330, btkoss14151@yahoo.com

Alfalfa Fields						Crop Removal				Soil Test ppm		Adjusted Recs lb/ac			Planned Applications and Credits lb/ac			Over(+) Under(-) Adj. UW Recs lb/ac			Applications			
Name	Ac.	Slp %	Soil Series, Map Symbl & N Res	Prior Crop	2014 Crop	Yield Goal	P2O5	K2O	Tillage	Avg P	Avg K	N	P2O5	K2O	N	P2O5	K2O	N	P2O5	K2O	Product Name and Analysis	Appln Rate and Method	N-P2O5-K2O credit	Total Amt
	26.8	4	KoB	Alfalfa	Alfalfa	3.6-4.5	50	240	None	19	80	0	50	295	43	31	186	43	-19	-109	Pit 3 Average 4-3-15	6000 gal Summer Unincorp	22-15-93	160,800 gal
																					Pit 3 Average 4-3-15	6000 gal Summer Unincorp	22-15-93	160,800 gal
	22	8	EmB	Alfalfa	Alfalfa	3.6-4.5	50	240	None	32	203	0	25	60	43	31	186	43	6	126	Pit 3 Average 4-3-15	6000 gal Summer Unincorp	22-15-93	132,000 gal
																					Pit 3 Average 4-3-15	6000 gal Summer Unincorp	22-15-93	132,000 gal
	35.8	4	KhB	Alfalfa	Alfalfa	3.6-4.5	50	240	None	21	104	0	50	280	43	31	186	43	-19	-94	Pit 3 Average 4-3-15	6000 gal Summer Unincorp	22-15-93	214,800 gal
																					Pit 3 Average 4-3-15	6000 gal Summer Unincorp	22-15-93	214,800 gal

ed Alfalfa acres 1,015,200 planned gal Pit 3 Average

Ex. 6 Personal Privacy (PP)

SnapPlus Spreading and Nutrient Management Sorted By Crop Report

85 total planned acres

Total Manure Volume	Manure App Plan	Remaining Manure
0 tons	0	0
60500000 gals	1,015,200	59,484,800

Total Planned to be Applied

1,015,200 planned gal Pit 3 Average

Tillage Abbreviations

Abbreviation	Tillage
None	None

SnapPlus Field Data and 590 Assessment Plan

Reported For Dairy Dreams Cooperating Farms:hay

Printed 2014-06-09

Plan Completion/Update Date 2014-05-15

SnapPlus Version 2.0 built on 2013-12-13

C:\SnapPlus2\MySnapPlusData\Dairy Dreams Dairy Dreams Cooperating Farms.snapDb

Prepared for:
Dairy Dreams Cooperating Farms
Dairy Dreams
Casco, 54205

Prepared by: Benjamin Todd Koss
KOSS AG LLC
E3991 Cr-J
Kewaunee,Kewaunee,54216
920-255-330, btkoss14151@yahoo.com

Field Data: 85 Total Acres Reported.

Field Name	F. Grp	FSA Tract	FSA Fld	Ac	County	Soil Series & Map Symbol (Critical)	F. Slp %	F Slp Len ft	Below Field Slope To Water %	Dist To Water ft	N/Fld Res	Contour/ Filters	Irrigated	Tiled	Rotation	Tillage	Report Period	Field "T" t/ac	Rot Avg Soil Loss t/ac	Rot Avg PI	Soil Test P ppm	Rot P2O5 Bal lb/ac	P2O5 Bal Target lb/ac
	hay			26.8	Door	KOLBER G(KoB)	4	200	2.1 - 6	301 - 1000		No / No	No	No	A-A-A-A-A-A	None-None-None-None-None-None	2013-2018	2	0.1	0	19	-100	-
	hay			22	Door	LONGRIE(LoC)	8	200	6.1 - 12	1001 - 5000		No / No	No	No	A-A-A-A-A-A	None-None-None-None-None-None	2013-2018	2	0.1	0	32	-146	-
	hay			35.8	Door	KOLBER G(KoB)	4	200	2.1 - 6	301 - 1000		No / No	No	No	A-A-A-A-A-A	None-None-None-None-None-None	2013-2018	2	0.1	0	21	-100	-

Ex. 6 Personal Privacy (PP)

Notes

32.9 acres tillable. 26.8 acres available for manure spreading.

FJ- 29 tillable acres. 22 acres available for manure spreading.

ions

Abbreviation	Crop
A	Alfalfa

Tillage Abbreviations

Abbreviation	Tillage
None	None

ED_004892_00001692-00077

Restriction Legend

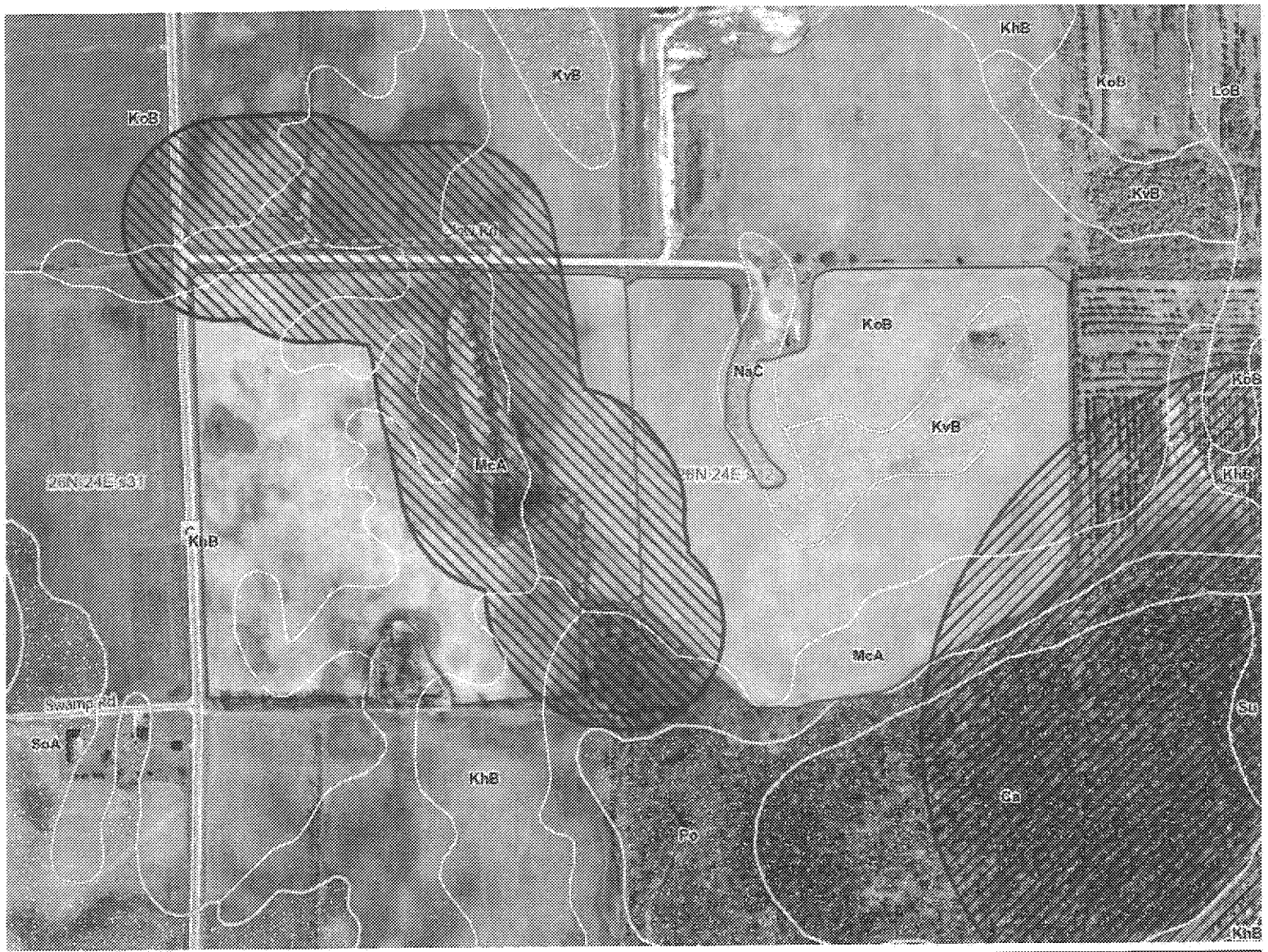
Code	Description of Code
P	High permeability N restricted soils
R	N restricted soils with less than 20 inches to bedrock
W	N restricted soils with less than 12 inches to apparent water table
+	This map unit may have any of the N restrictive features, however an on-site investigation is needed to identify which restrictions may actually be present.
S	Field is in SWQMA
D	Drinking water well within 50 feet of field.
C	Conduit to groundwater within 200 feet upslope of field.
L	Local restrictions on nutrient applications.

Wisconsin 590 Nutrient Management Application Restrictions

North

Map Generated On: 6/10/2014

County: Door



0 0.1 Miles

Scale 1: 5,345

This map has been developed utilizing the nutrient application restrictions from the September 2005 Wisconsin NRCS 590 Nutrient Management Practice Standard. This map is an initial inventory of nutrient spreading risks which must be field verified to identify other risk areas such as concentrated flow channels, wetlands, and conduits to groundwater. See the "Considerations" section of the 590 practice standard for additional planning suggestions. http://efotg.nrcs.usda.gov/references/public/WI/590.pdf

Legend*

- Intermittent Streams
- Perennial Streams
- Waterbodies
- CAFO SWQMA 300 Feet
- CAFO SWQMA 1,000 Feet
- CAFO Fall Restriction (R)
- Fall N Restriction (P)
- CAFO Fall Restriction (W)
- No Winter App. Slope > 12%
- Winter Restriction if Slope > 9%

*Markup is not included in the Legend

Sources:

Soil Map Units, Fall Restrictions, Winter Restrictions - Based on USDA NRCS SSURGO (updated 7/1/2012)

Surface Water - WI DNR 24K Hydro (acquired 1/9/2012)

SWQMAs - buffers around WI DNR 24K Hydro (based on 1/9/2012 Hydro)

2010 NAIP Imagery - USDA FS

Transportation - WI DOT (acquired 5/22/2012)

Notes

Section Number(s): 32

Brussels

Wisconsin 590 Nutrient Management Application Restrictions

North

Map Generated On: 6/10/2014

County: Door

Legend*

- Intermittent Streams
- Perennial Streams
- Waterbodies
- CAFO SWQMA 300 Feet
- CAFO SWQMA 1,000 Feet
- CAFO Fall Restriction (R)
- Fall N Restriction (P)
- CAFO Fall Restriction (W)
- No Winter App. Slope > 12%
- Winter Restriction if Slope > 9%

*Markup is not included in the Legend

Sources:

Soil Map Units, Fall Restrictions, Winter Restrictions - Based on USDA NRCS SSURGO (updated 7/1/2012)

Surface Water - WI DNR 24K Hydro (acquired 1/9/2012)

SWQMAs - buffers around WI DNR 24K Hydro (based on 1/9/2012 Hydro)

2010 NAIP Imagery - USDA FS

Transportation - WI DOT (acquired 5/22/2012)

Notes

Section Number(s): 23

Union

0 0.1 Miles

Scale 1: 5,345

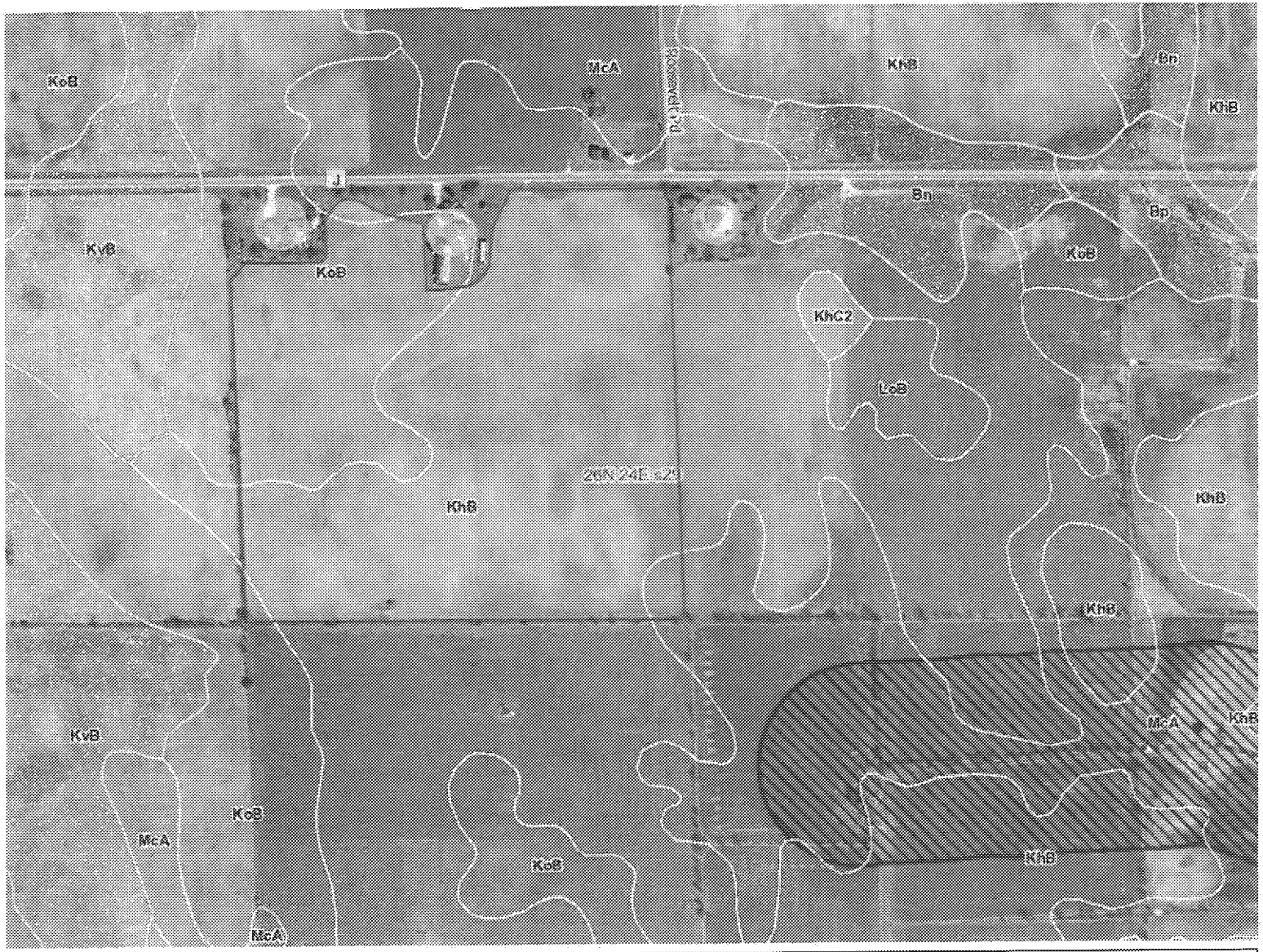
This map has been developed utilizing the nutrient application restrictions from the September 2005 Wisconsin NRCS 590 Nutrient Management Practice Standard. This map is an initial inventory of nutrient spreading risks which must be field verified to identify other risk areas such as concentrated flow channels, wetlands, and conduits to groundwater. See the "Considerations" section of the 590 practice standard for additional planning suggestions. http://efotg.nrcs.usda.gov/references/public/WI/590.pdf

Wisconsin 590 Nutrient Management Application Restrictions

North

Map Generated On: 6/10/2014

County: Door



Legend*

- Intermittent Streams
- Perennial Streams
- Waterbodies
- CAFO SWQMA 300 Feet
- CAFO SWQMA 1,000 Feet
- CAFO Fall Restriction (R)
- Fall N Restriction (P)
- CAFO Fall Restriction (W)
- No Winter App. Slope > 12%
- Winter Restriction if Slope > 9%

*Markup is not included in the Legend

Sources:

Soil Map Units, Fall Restrictions, Winter Restrictions - Based on USDA NRCS SSURGO (updated 7/1/2012)

Surface Water - WI DNR 24K Hydro (acquired 1/9/2012)

SWQMAs - buffers around WI DNR 24K Hydro (based on 1/9/2012 Hydro)

2010 NAIP Imagery - USDA FS

Transportation - WI DOT (acquired 5/22/2012)

Notes

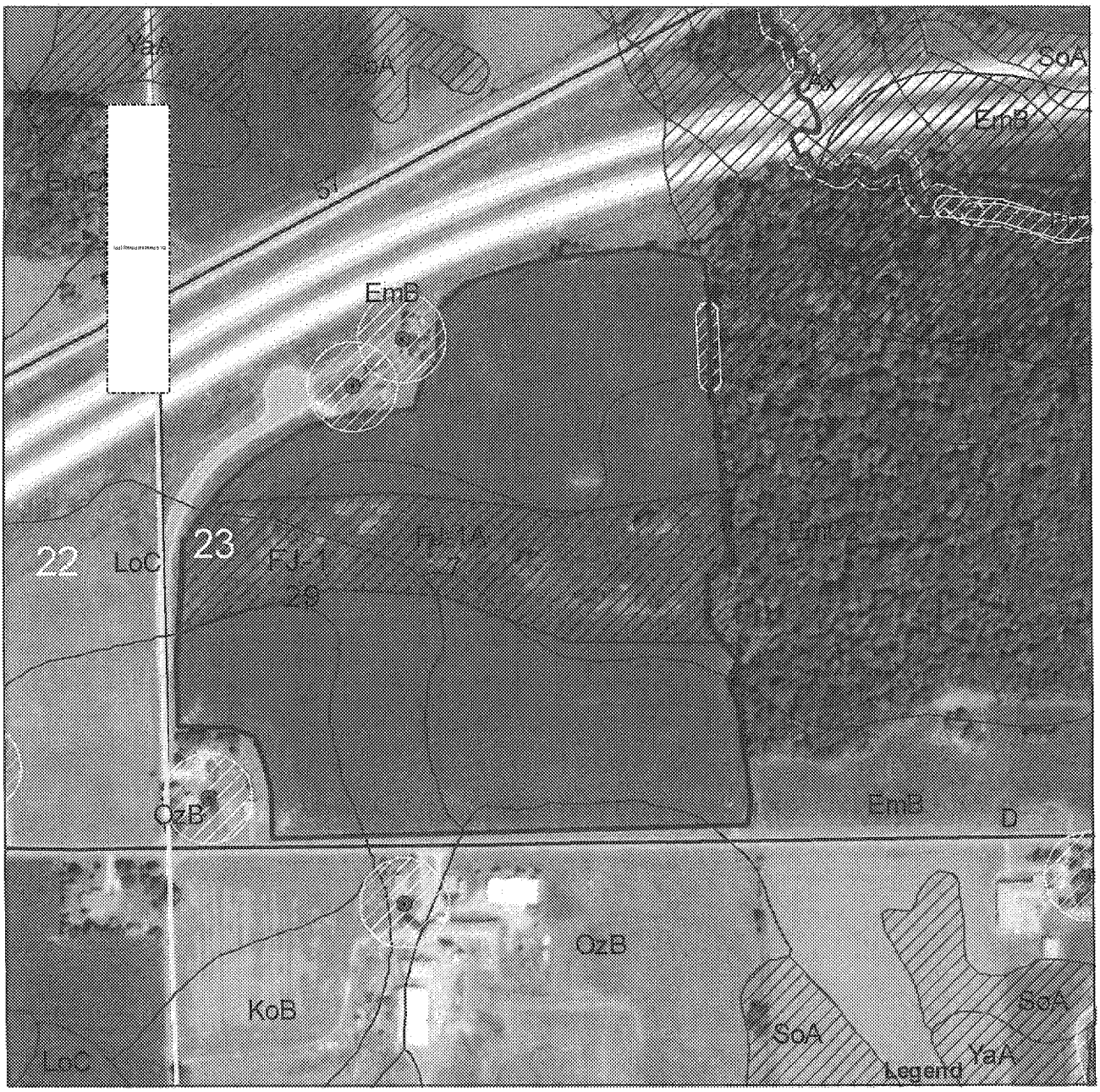
Section Number(s): 29

Brussels

0 0.1 Miles

Scale 1: 5,345

This map has been developed utilizing the nutrient application restrictions from the September 2005 Wisconsin NRCS 590 Nutrient Management Practice Standard. This map is an initial inventory of nutrient spreading risks which must be field verified to identify other risk areas such as concentrated flow channels, wetlands, and conduits to groundwater. See the "Considerations" section of the 590 practice standard for additional planning suggestions. http://efotg.nrcs.usda.gov/references/public/WI/590.pdf



Ex. 6 Personal Privacy (PP) Sec. 23 Union Township Door County.

Field, Soils , Non winter Hazard Map.

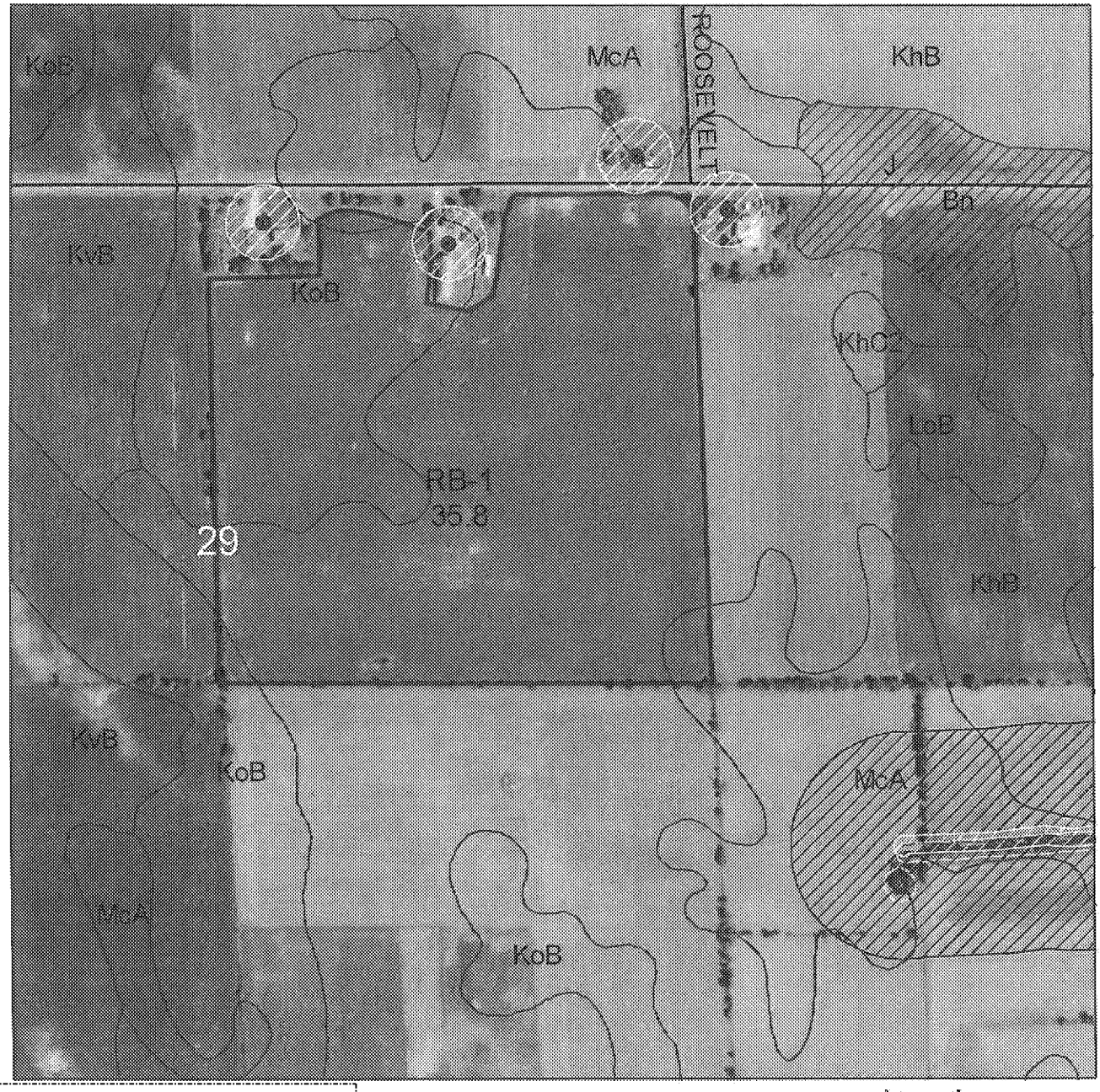
Fields verifided for distance to bedrock. Red or yellow areas No Manure Spreading

0 255 510 1,020 Feet

KOSS AG LLC
Crop Consulting
CCA# 14151
920-255-3303

- int_strm_Door
- 25ft_int_strm_Buffer
- Bedrock lessthan 24"
- 300Ft_int_strm_SWQMA
- Door_swqma_
- General well Location
- 100Ft_well_Buffer
- Dennis Soquet
- Wetland Edge
- 25ft_Wetland_Buffer
- door_w
- door_p
- Soils
- Streams
- 25ft_streams_buffer
- Door Section Lines
- Door Roads

N



Ex. 6 Personal Privacy (PP)

Sec. 29 Brussels Township Door County.

Field, Soils , Non winter Hazard Map.

ields verifided for distance to bedrock. Red or yellow areas No Manure Spreading

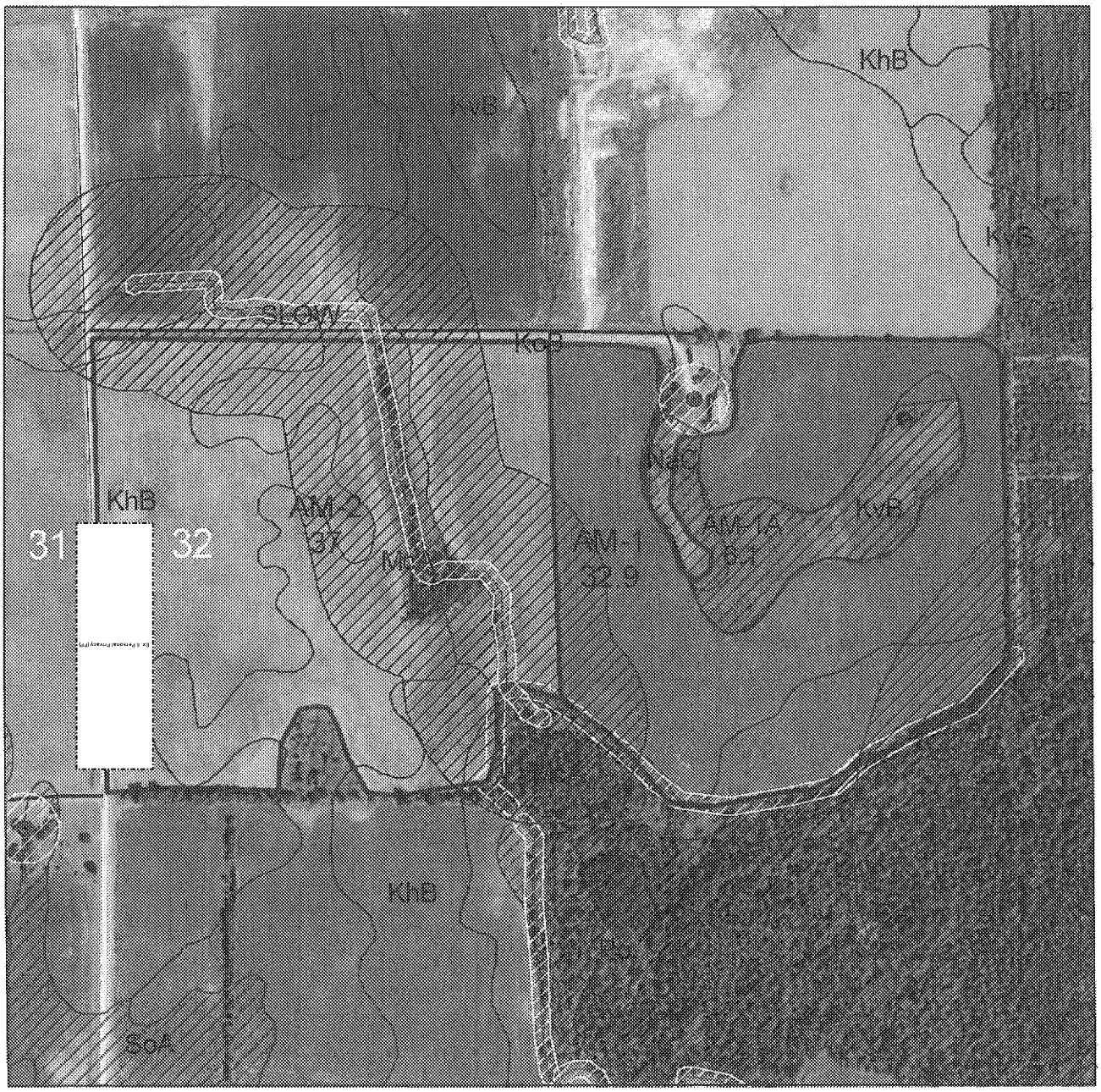
0 305 610 1,220 Feet

KOSS AG LLC
Crop Consulting
CCA# 14151
920-255-3303

Legend

- int_strm_Door
- 25Ft_int_strm_Buffer
- Bedrock lessthan 24"
- 300Ft_int_strm_SWQMA
- Door_swqma_
- General well Location
- 100Ft_well_Buffer
- Dennis Soquet
- Wetland Edge
- 25Ft_Wetland_Buffer
- door_w
- door_p
- Soils
- Streams
- 25ft_streams_buffer
- Door Section Lines
- Door Roads

N



Ex. 6 Personal Privacy (PP) Sec. 32 Brussels Township Door County.

Field, Soils , Non winter Hazard Map.

Fields verifided for distance to bedrock. Red or yellow areas No Manure Spreading

0 325 650 1,300 Feet

KOSS AG LLC
Crop Consulting
CCA# 14151
920-255-3303

Legend

- int_strm_Door
- 25Ft_int_strm_Buffer
- Bedrock lessthan 24"
- 300Ft_int_strm_SWQMA
- Door_swqma_
- General well Location
- 100Ft_well_Buffer
- Dennis Soquet
- Wetland Edge
- 25Ft-Wetland_Buffer
- door_w
- door_p
- Soils
- Streams
- 25ft_streams_buffer
- Door Section Lines
- Door Roads

N

Jones, Casey L - DNR

From: Jones, Casey L - DNR
Sent: Monday, January 23, 2012 3:21 PM
To: 'Michael Bauer'
Cc: Bauman, Thomas S - DNR; Stoll, Richard C - DNR
Subject: Ex. 6 Personal Privacy (PP) records request

Attachments: Ex. 6 Personal Privacy (PP) Permit 2010-2015.pdf; Ex. 6 Personal Privacy (PP) Dairy - Approval (R-2011-0124).pdf; E-mail permit mod request.pdf; Public notice for permit mod.doc; Public noticed draft permit.doc; Comment response letter.pdf

Hi Mike,

Here is the information you requested.

This is Ex. 6 Personal Privacy (PP) existing WPDES permit:

Ex. 6 Personal Privacy (PP) Permit 2010-2015.pdf (4...

Here is the engineering plan approval letter for the proposed manure storage facility (I do not have the engineering plans that were submitted available electronically, but if you need these the package can be sent to copy shop for printing and you'll have to arrange payment and mailing). Your client may already have these as I recall Amy sending them out for copying for a concerned neighbor.

Ex. 6 Personal Privacy (PP) Dairy - Appro...

Here is an e-mail from Ex. 6 Personal Privacy (PP) to DNR requesting the permit modification:

E-mail permit mod request.pdf ...

Here is the public notice and draft permit for the proposed permit modification to add the manure storage facility as "Sample point 017":

Public notice for permit mod.d... Public noticed draft permit.do...

Here is the letter I sent to citizens that had submitted concerns to DNR about the proposed project and requested a public hearing:

Comment response letter.pdf (8...

As I indicated on the phone, at this time DNR is awaiting Mr. Ex. 6 Personal Privacy (PP) confirmation or change of plans to determine if a public hearing will be held. If you have any questions or would like to schedule a file review, feel free to contact me again.

Thanks,

Casey

Casey L. Jones
Agricultural Runoff Management Specialist - DNR Northeast Region
(Fond du Lac, Green Lake, Kewaunee, Marquette, Outagamie, Waupaca, Waushara & Winnebago Counties)

DNR Oshkosh Service Center
625 E County Rd Y, Suite 700
Oshkosh, WI 54901

(☎) phone: (920) 303-5426
(☎) fax: (920) 424-4404
(✉) e-mail: Casey.Jones@Wisconsin.gov

From: Michael Bauer [mailto:mike.bauer@hopplaw.com]
Sent: Monday, January 23, 2012 03:01 PM
To: Jones, Casey L - DNR
Subject: Ex. 6 Personal Privacy (PP) Dairy, LLC / Kewaunee County Manure Storage Facility

Casey,

This is a follow-up to our telephone discussion concerning the above project. I represent the Town of West Kewaunee. It is my understanding that **Ex. 6 Personal Privacy (PP)** has received conditional WDNR approval to construct a manure storage facility in the Town of Kewaunee. The current WDNR approval however does not authorize [redacted] to use or operate the manure storage facility until a public comment and public hearing process has been completed and additional WDNR approval have been given.

It would be helpful if you could provide copies of the following documents:

1. [redacted] WPDES permit,

2. Public Hearing Notice and letters to neighbors,

3. [redacted] application for construction of the Kewaunee County Manure Storage Facility,

4. WDNR Plan Inspection and Conditional Approval given for the [redacted] Kewaunee County Manure Storage Facility,

5. Any other documents that you think might help document the current status of the [redacted] manure disposal operations.

Thank you for assistance.

Best regards,

Attorney Michael J. Bauer

Hopp Neumann Humke LLP

2124 Kohler Memorial Drive, Suite 110

Sheboygan, WI 53081-3174

Ph: 920-457-8400 x 5701

Fx: 920-457-8411

Em: mike.bauer@hopplaw.com

FILE

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters
2984 Shawano Avenue
Green Bay, Wisconsin 54313-6727
Telephone 920-662-5100
FAX 920-662-5413
TTY Access via relay - 711

February 9, 2010

Ex. 6 Personal Privacy (PP) C
Kewaunee, WI 54216

Subject: WPDES Permit Application Received

Dear Mr Ex. 6 Personal Privacy (PP)

The Department of Natural Resources (Department) received the initial Wisconsin Pollutant Discharge Elimination System (WPDES) permit application materials on October 1, 2009 for Ex. 6 Personal Privacy (PP) Dairy LLC.

The following table identifies the information received and the current review status* for Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP) Dairy LLC located at Ex. 6 Personal Privacy (PP) Kewaunee County. **All application materials are required for a complete WPDES permit application determination and permit issuance.**

Please be advised that failure to include or complete all required permit application items may delay permit issuance.

Department or other agency staff may be available to assist with completing your permit application. Please be aware that:

1. Some application items (e.g. Nutrient Management Plan and Waste Storage Facilities) may take considerable amounts of time to prepare, review and amend (when necessary) to meet all state or federal requirements.

2. Application items submitted that are vague, unclear or general may be responded to by the Department with requests for additional information.

* NOTE: This is the *initial* response to your permit application. Items identified as complete may be subject to change if / when additional information becomes available that was not reviewed by the Department before issuance of this letter. Any regulatory decisions made by the Department in any matter addressed by your application will be made by applying the governing statutes and administrative rules to the relevant facts. If you believe our review contains errors, please notify us accordingly and provide supporting reasons.

WPDES Permit Application Status Report

Received	Complete	Incomplete	Under Review	Application Item
Part 1: General Operation Requirements				
x	x			Livestock/Poultry Operation WPDES Permit Application Form 3400-25
x	x			Animal Units Calculation Worksheet Form 3400-25A
x				Narrative with historical, current, and future operational information including planned construction/expansion
x				Scaled drawing(s) identifying the following existing and/or proposed items:
	x			• Animal housing
	x			• Waste storage facilities
	n/a			• Groundwater monitoring wells
	n/a			• Permanent spray irrigation or other land spreading systems
	x			• Feed storage structures
	x			• Raw material storage
	x			• Loafing or outside lot areas
	x			• Ancillary service and storage areas
	x			• Water supply well(s)
	x			• Treatment systems or structures
	x			• Runoff controls
	n/a			• CAFO outdoor vegetated areas
		x		Written descriptions of the structures and areas identified above (including number of animals, projected number of days in use and type/percent of vegetative cover for outdoor lots and CAFO outdoor vegetated areas)
x				Site Location Maps – Existing & Proposed
	x			• Aerial Photograph
		x		• Soil Survey Maps
		x		Manure Flow Diagram identifying where manure goes to/from at the production site
Part 2: Environmental Analysis Questionnaire				
EA was updated in 2008.				Environmental Analysis Questionnaire with each question fully addressed
Part 3: Nutrient Management Plan				
x			x	Nutrient Management Plan meets all the requirements in NRCS Technical Standard 590 and Ch. NR 243.14, Wis. Adm. Code

Received	Complete	Incomplete	Under Review	Application Item
Part 4: Plans & Specifications for New Structures				
Submit plans/specs for any projects (i.e. irrigation system) being proposed for 2010 and beyond as soon as possible in order to start the review process early.				Proposed Waste Storage Facilities plans and specifications (3 copies)
				Proposed Runoff Control System(s) plans & specifications (3 copies)
Part 5: Post Construction Documentation for Existing Structures				
Ensure as-built documentation has been submitted for recently completed projects.				Existing Waste Storage Facilities as-built information or engineering evaluation
Ensure as-built documentation has been submitted for recently completed projects as well as existing structures at the heifer farm.				Existing Runoff Control System(s) as-built information or engineering evaluation

Please review the missing items and submit them to me as soon as possible to continue the WPDES permit renewal process.

For your assistance, agency contacts and other information that may be related to permit applications are enclosed with this letter. If you have any questions, please contact me at (920) 662-5460 or amy.callis@wisconsin.gov. Thank you!

Sincerely,

Amy S. Callis
Agricultural Runoff Management Specialist
Lakeshore Basin – Northeast Region

cc: Kelley O'Connor, DNR – Green Bay
Andrew Craig, DNR – Madison
Andy Wallander, Kewaunee County LWCD
Todd Koss, Koss Ag LLC
Jim Vandenberg, Wisconsin Property Services LLC
File

Permit Application Assistance

Nutrient Management Plans

DNR Madison and Regional staff review the Nutrient Management Plans (NMPs) with assistance from DATCP. The NMP must contain information necessary to document how land application activities will comply with the restrictions in s. NR 243.14 and NRCS Standard 590. Wisconsin Conservation Planning Tech Note WI-1 contains additional guidance and detail on what items need to be included in a NMP as well as useful background information for nutrient management planning.

NR 243 – http://www.legis.state.wi.us/rsb/code/nr/nr243.pdf
NRCS 590 – http://efotg.nrcs.usda.gov/references/public/WI/590.pdf
WI Conservation Planning Tech Note WI-1 – http://www.wi.nrcs.usda.gov/technical/technotes.html

Please note Chapter NR 243 Wis. Adm. Code was amended in July 2007 with new requirements for CAFO's. These include:

- General application restrictions - setbacks and other best management practices to protect surface and ground water quality;
- Nutrient crediting;
- Surface Water Quality Management Area (SWQMA) application restrictions;
- Phosphorus Delivery;
- Solid manure winter restrictions – including the need for any solid manure stacking locations; and
- Liquid manure winter restrictions – including identification of specific fields for applications and certification that manure storage facilities provide a minimum of 180 days storage capacity.

Plans & Specifications for New Structures

DNR engineers in Madison conduct full reviews for completeness of plan and specification submittals and follow-up with the operation as needed for additional information. Review and approval of plans and specifications are also completed by DNR engineers in Madison. By statute, there is a 90-day review period for this information once it is deemed complete. Part of the completeness review involves determining if other portions of the WPDES permit application packet are complete (i.e. Environmental Analysis Questionnaire).

Post Construction Documentation for Existing Structures

Information for existing structures may not be available. A compliance schedule for the evaluation of existing structures and runoff controls may be required in the first year of permit issuance. Post construction documentation for new structures is required to be submitted within 60 days of completion.

Contacts

DNR Regional Staff – Green Bay
Amy Callis, Agricultural Runoff Management Specialist – (920) 662-5460, amy.callis@wisconsin.gov

DNR Central Office Staff - Madison
Andrew Craig, Nutrient Management Specialist – (608) 267-7695, andrew.craig@wisconsin.gov
Gretchen Wheat, Water Resources Engineer – (608) 264-6273, gretchen.wheat@wisconsin.gov

DATCP Nutrient Management Staff (SNAP Plus Questions) – Madison
Sue Porter, Nutrient Management Specialist – (608) 224-4605

Natural Resource Conservation Service (NRCS) – Kewaunee County
Luxemburg Office – (920) 845-1360

Kewaunee County Land and Water Conservation Department

Ex. 6 Personal Privacy (PP)
Kewaunee, WI 54216

BARBARA PORATH CLERK
TOWN OF CASCO
N4961 HILL RD
KEWAUNEE, WI 54216-9762

MAYNARD KUEHL CLERK
TOWN OF WEST KEWAUNEE
N4137 COUNTY RD E
KEWAUNEE, WI 54216-9704

LINDA TESKE CLERK
COUNTY OF KEWAUNEE
810 LINCOLN ST
KEWAUNEE, WI 54216

Susan Kratz RN
Kewaunee County Public Health
510 Kilbourn St
Kewaunee, WI 54216

Brian Paplham Chair
Kewaunee Co LCC
E5304 Cty 1st Rd
Kewaunee, WI 54216

Ex. 6 Personal Privacy (PP)

Kewaunee County News
PO Box 86
Kewaunee, WI 542160086

EMAIL NOTIFICATION LIST

FirstName	LastName	OrganizationName	EmailAddress
Rosemary	Thorne	Badger Labs	rthorne@badgerlabs.com
Peter	Schleinze	Brown County Planning Commission	Schleinz_pj@co.brown.wi.us
Melissa	Malott	Clean Wisconsin	mmalott@cleanwisconsin.org
Robert	Horwich	Community Conservation	ccc@mwt.net
Gary	Strand	Cooper Engineering Co., Inc.	gstrand@cooperengineering.net
Edie	Ehlert	Crawford Stewardship	edieehlert@centurytel.net
Kamran	Mesbah	Dane Co. RPC	kamranm@danecorpc.org
Michael	Davy	Davy Engineering Co.	mfdavy@davyinc.com
Tim	Holzer	Davy Engineering Co.	tholzer@davyinc.com
Richard	Lewandowski	Whyte Hirschboeck Dudek S.C.	rlewandowski@whdlaw.com
Karen	Boyd	Dodge Co. Planning & Dev Dept	dplanning@co.dodge.wi.us
James	Kleinschmidt	Donohue and Associates, Inc.	jkleinschmidt@donohue-associates.com
Harlan	Mueller	Energenecs, Inc.	harlan@energenecs.com
Steven	Poirier	Environmental Consulting & Testing	spoirier@ectesting.com
Mike	Flanagan	Foley & Lardner	MFlanagan@foleylaw.com
Cheryl	Nenn	Friends of Milwaukee's Rivers	cheryl_nenn@mkeriverkeeper.org
Jerry	Foellmi	General Engineering Co., Inc.	jfoellmi@generalengineering.net
Paul	Anderson	GreenStone Farm Credit Services	Paul.anderson@greenstonefcs.com
Chad	Olsen	McMahon Associates, Inc.	COlsen@mcmgrp.com
Jeremy	Pyatskowit	Menominee Indian Tribe of WI	jpyatskowit@mitw.org
William	Taft	Michigan DEQ/Water Div.	taftw@michigan.gov
Betsy	Lawton	Midwest Environmental Advocates	blawton@midwestadvocates.org
Kendra	Wochos	Midwest Environmental Advocates	paralegal@midwestadovcates.org
Katrina	Kessler	Minnesota Pollution Control Agency	Katrina.kessler@state.mn.us
Robert	Parmley	Morgan & Parmley Ltd.	mpltd@centurytel.net
Kate	Hanson	National Park Service	kate_hanson@nps.gov
Jill	Medland	National Park Service	Jill_Medland@nps.gov
		Natural Resources Defense Council	nstoner@nrdc.org
Bill	Wisler	Nohr Water Resource Committee	wisler@mhtc.net
Darryl	Landeau	North Central WI RPC	dlandeau@ncwrpc.org
Sheldon	Johnson	Northwestern WI RPC	sjohnson@nwrpc.com
Mike	Heilman	S-F Analytical Lab	mheilman@sflabs.com
Beth	Grieff	St Croix Tribal Center	natres@stcroixtribalcenter.com
Marney	Hoefer	Stafford Rosenbaum LLP	mhoefer@staffordlaw.com
Tom	Foltz	Strand Engineering	Tom.foltz@strand.com
Mike	Barniskis	Trout Unlimited Aldo Leopold Chapter	barniskis@yahoo.com
Nathan	Barnhart	Trout Unlimited Coulee Region	sn.barnhart@charter.net
Brent	Sittlow	Trout Unlimited KIAP-TU-WISH	bsittlow@pressenter.com
Peter	Fasbender	U.S. Fish & Wildlife Service	peter_fasbender@fws.gov
Mindy	Ochs	Western Lime	mochs@westernlime.com
Jim	Hlaban	WI Council of Trout Unlimited	wiscpr@wolfnet.net
Ed	Wilusz	Wisconsin Paper Council	wilusz@wipapercouncil.org
Jennifer	Giegerich	Wisconsin Public Interest Research Group	info@wispirg.org

Ex. 6 Personal Privacy (PP)

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Ronald W. Kazmierczak, Regional Director

Northeast Region Headquarters
2984 Shawano Avenue
Green Bay, WI 54313-6727
Telephone (920) 662-5100
FAX (920) 662-5159
TTY Access via relay - 711

Ex. 6 Personal Privacy (PP)

Kewaunee, WI 54216

SUBJECT: WPDES Permit Reissuance No. WI-0059374-03-0
Ex. 6 Personal Privacy (PP) Dairy, Sec 4 T23N R24E & Sec 33 T23 R24E

Dear Permittee:

Your Wisconsin Pollutant Discharge Elimination System (WPDES) Permit is enclosed. The conditions of the attached permit reissuance were determined using the permit application, information from your WPDES permit file, other information available to the Department, comments received during the public notice period, and applicable Wisconsin Administrative Codes. Your operation is considered a large farm, and is regulated under the authority of ch. NR 243, Wis. Adm. Code. All discharges from this operation and actions or reports relating thereto shall be in accordance with the terms and conditions of this permit.

This permit requires you to submit monitoring results and landspreading summaries to the Department annually. Please send this information to the DNR Northeast Region, 2984 Shawano Avenue, Green Bay, WI 54313-6727. If this permit also requires you to submit engineering evaluations, and plans & specifications for manure storage facilities and runoff controls, please send this information to the Bureau of Watershed Management WT/2, P.O. Box 7921, Madison, WI 53707-7921.

The Department has the authority under chs. 160 and 283, Stats., to establish effluent limitations, monitoring requirements, and other permit conditions for discharges to groundwater and surface waters of the State. The Department also has the authority to issue, reissue, modify, suspend, or revoke WPDES permits under ch. 283, Stats.

To challenge the reasonableness of or necessity for any term or condition of the enclosed permit, s. 283.63, Stats., and ch. NR 203, Wis. Adm. Code, require that you file a verified petition for review with the Secretary of the Department of Natural Resources within 60 days of the date the permit was issued (see "Date Permit Signed/Issued" after the signature on the front page of the enclosed permit). For permit-related decisions that are not reviewable pursuant to s. 283.63, Stats., it may be possible for permittees or other persons to obtain an administrative review pursuant to s. 227.42, Stats., and s. NR 2.05(5), Wis. Adm. Code, or a judicial review pursuant to s. 227.52, Stats. If you choose to pursue one of these options, you should know that Wisconsin Statutes and Administrative Code establish time periods within which requests to review Department decisions must be filed.

Sincerely,

Casey J. Jones FOR

Amy S. Callis
Agricultural Specialist
Dated: 10-22-10

cc: Cyndi Barr, Andrew Craig – DNR Madison
U.S. Fish and Wildlife Service

DNR Northeast Region
Kewaunee County LCD

Baeten, Joseph B - DNR

From: Jones, Casey L - DNR
Sent: Monday, October 08, 2012 8:20 AM
To: Block, Danielle L - DNR
Cc: Baeten, Joseph B - DNR
Subject: RE: Ex. 6 Personal Privacy (PP) Spill Report

Hi Danielle,

Have them send you a photo of the cleaned up area (if they took any) and a map or description of where the spill occurred (i.e. southern ditch near Field ID at hwy D & I, etc.).

Forward to me when you get it so I can geolocate spill.

Thanks,
Casey

-----Original Message-----
From: Block, Danielle L - DNR
Sent: Sunday, October 07, 2012 7:46 PM
To: Jones, Casey L - DNR
Subject: Ex. 6 Personal Privacy (PP) Report

Danielle Block
Wisconsin Department of Natural Resources Agricultural Runoff Management Specialist
(() phone: (920) 662-5460
(() fax: (920) 662-5413
(() e-mail: DanielleL.Block@wisconsin.gov Follow the DNR on Twitter: http://www.twitter.com/WDNR Find the DNR on Facebook: http://www.facebook.com/WIDNR Watch the DNR on YouTube: http://www.youtube.com/WIDNRTV

-----Original Message-----
From: **Ex. 6 Personal Privacy (PP)**
Sent: Friday, October 05, 2012 12:16 PM
To: Block, Danielle L - DNR
Cc: Todd Koss
Subject:

Hi Danielle, here is our spill report. The frac tank was overfilled on a off field dumping site and about 1000 gal of liquid manure was spilled. A some of the manure ran down into a old abandaned gravel pit. For clean up we sucked up what we could and then flushed the area with 4000 gal of water and sucked that up and land spread it on field. The flat spot where frac tank was sitting got scraped up with skidsteer and land spread on field. The field we were pumping to is done and we have vacated the area. If you need anything else let me know **Ex. 6 Personal Privacy (PP)** Dairy

State of Wisconsin
Department of Natural Resources
PO Box 7921, Madison WI 53707-7921
dnr.wi.gov

CAFO Nutrient Management Plan
Substantial Revision - New Fields Request

Form 3400-204 (1/14)

Notice: Pursuant to NR 243.14(1)(c), Wis. Adm. Code, this application must be completed by the owner or operator of a concentrated animal feeding operation (CAFO) to request approval for adding fields to their Nutrient Management Plans. Personal information collected will be used for administrative purposes and may be provided to requester's to the extent required by Wisconsin's Open Records laws (19.31 - 19.39, Wis. Stats.).

I. Facility Information

Facility Name	WPDS Permit Number	Number of New Fields Requested
Ex. 6 Personal Privacy (PP)	WI-00	1

Other Information

Field is cropped by Mike Lacrosse

II. Field Information

Field Name	Acres	County	Village or Town	Township	Range	E/W	Section	Landowner Name
ML 2A Ex. 6 Personal Privacy (PP)	15	Kewaunee	franklin	22 N	23	E	25	Ex. 6 Personal Privacy (PP)
				N				
				N				
				N				
				N				

OR

☐ See Attached Excel Report for Field Specific Information

III. Land Application Information

Anticipated months, method(s) and **frequency** of land application (select all that apply):

☐ Jan ☐ Feb ☐ Mar ☐ Apr ☒ May ☐ June ☐ July ☐ Aug ☐ Sept ☐ Oct ☐ Nov ☐ Dec

☐ Surface application
☒ Injection
☒ Incorporation - immediate
☐ Incorporation - within 48 hours
☐ Irrigation Equipment

☐ 1-2 Days
☐ 3-4 Days
☐ 5-7 Days
☐ Other: _____

Additional Information

Field was checked for distance of soil to bedrock. Kolberg soil was found to be about 3.5ft deep. Picture attached.

IV. Additional Field and Land Application Information

Yes	No	
		1. Do attached reports contain the following **field specific** information?
◉	○	Soil test date and results
◉	○	Planned crop rotation and time length
◉	○	T, Tolerable Soil Loss, rotational calculation
◉	○	Application and Budgeting of Nutrients consistent with NRCS 590 Standard and UW soil fertility recommendations (A2809)

◉	○	Quantity of Manure, process wastewater and other nutrient sources to be land applied
◉	○	Phosphorus Index rotation calculation
◉	○	P balance rotation calculation
◉	○	Manure application method
		2. When selecting application rate(s) and timing have the following items been evaluated?
◉	○	Prior Manure and Process Wastewater test results
◉	○	Soil Nutrient levels
◉	○	First and Second year manure and legume credits
◉	○	Nutrient applications from other sources (commercial fertilizers, bio-solids, wastewater)
◉	○	Crop residue and tillage methods
◉	○	Predominant soil in field versus dominant critical soil
○	◉	Soil temperature, application rate and timing restrictions for N restricted soils
◉	○	Soil areas with groundwater and bedrock within 24 inches of surface
◉	○	3. Do any fields contain NR 243 SWQMA?
		4. What application practices will be implemented on fields with NR 243 SWQMA?
◉	○	Injection or immediate incorporation and 25 foot setbacks from navigable waters, conduits to navigable waters and wetlands
◉	○	Surface application and 100 foot setback from navigable waters, conduits to navigable waters; 25 foot wetlands setback
◉	○	Surface application and 25 foot setback from navigable waters, conduits to navigable water and wetlands, provided application is on long term no till ground, has > 30% crop residue and hydraulic application rate reflects NR 243 soil texture and max application rate requirements
○	○	Other (please explain):
		5. What Field Phosphorus management method was selected?
○	○	Soil Test P - all fields
◉	○	Phosphorus Index - all fields
○	○	Soil Test P and Phosphorus Index combination - based upon soil test result > or < 100 ppm P
○	○	6. Do fields > 100 ppm P meet NR 243 P management requirements?
		7. Do field restriction map(s) reflect the following NR 243 or NRCS 590 requirements?
◉	○	Navigable waters, conduits (e.g., grassed waterways, ditches) and applicable setbacks
○	◉	Areas of concentrated flow, reoccurring gullies or ephemeral erosion
◉	○	No applications within 25 feet of wetlands
◉	○	No applications within 100 feet of direct conduits to groundwater
◉	○	No applications within 100 feet of private wells and 1000 feet of commercial wells
○	◉	No applications to areas with groundwater or bedrock within 24 inches of surface
◉	○	Soils with high potential for N leaching to groundwater
◉	○	Drain tile locations, including inlets and outlets

○	◉	Winter (Frozen or Snow Covered Ground) Spreading or Stacking
○	◉	8. Are any fields planned for manure spreading or manure stacking during winter (frozen or snow covered ground) conditions?
○	◉	9. Do selected winter spreading field(s) meet all NR 243 winter (frozen or snow covered ground) manure spreading or stacking requirements?

V. Certification

I certify that the CAFO Nutrient Management Plan criteria listed above is:
(1) in compliance with all NR 243.14, Wis. Adm. Code, and applicable NRCS 590 criteria, and
(2) all plan requirements have been reviewed by farm operator/owner

I understand that pursuant to s. 283.91(4), Wis. Stats., any person who knowingly makes any false statement representation or certification in a document filed with the DNR may be punished by a fine of not more than $10,000 or by imprisonment for not more than 6 months or both.

Ex. 6 Personal Privacy (PP)
Signature of Official Farm Representative

9-2-2014
Date

SnapPlus Spreading and Nutrient Management Sorted By Crop Report

Crop Year 2014

Reported For [redacted] Cooperating Farms:new

Printed 2014-05-02

Plan Completion/Update Date 2013-12-10

SnapPlus Version 2.0 built on 2013-12-13

C:\SnapPlus2\MySnapPlusData[redacted]ed5-11-2013 ([redacted] Cooperating Farms).snapDb

Prepared for:
[redacted]ms
Kewaunee, 54216

Prepared by: Benjamin T. Koss
KOSS AG LLC
E3991 Cr-J
Kewaunee,Kewaunee,54216
920-255-3303, btkoss14151

First Year Corn Silage Fields							Crop Removal			Soil Test		Adjusted Recs lb/ac			Planned Applications and Credits lb/ac			Over(+) Under(-) Adj. UW Recs lb/ac			Applications			
Name	Ac.	Slp %	Soil Map Symbl & N Res	Prior Crop	2014 Crop	Yield Goal	P2O5	K2O	Tillage	Avg P	Avg K	N	P2O5	K2O	N	P2O5	K2O	N	P2O5	K2O	Product Name and Analysis	Appln Rate and Method	N-P2O5-K2O credit	Total Amt
[redacted] Ex. 6 Personal Privacy (PP)	15.2	2	WoC2 W	Soybeans 7-10 inch row	Corn silage	20.1-25	80	185	FCND	3	55	140	120	240	152	91	347	12	-29	107	9-23-30 9-23-30	100 lb Spring Incorp	9-23-30	1,520 lb
																					Pit 2 Average 5-4-13	18000 gal Spring Subsurface	108-68-317	273,600 gal

15.2 planned First Year Corn Silage acres

1,520 planned lb 9-23-30

273,600 planned gal Pit 2 Average

15 total planned acres

Total Manure Volume	Manure App Plan	Remaining Manure
0 tons	0	0
47302606 gals	273,600	47,029,006

Total Planned to be Applied

1,520 planned lb 9-23-30

273,600 planned gal Pit 2 Average

SnapPlus Spreading and Nutrient Management Sorted By Crop Report

SnapPlus Spreading and Nutrient Management Sorted By Crop Report

Tillage Abbreviations

Abbreviation	Tillage
FCND	Fall Chisel, no disk
SFC	Spring Cultivation

SnapPlus Soil Test Report

Reported For [redacted] Cooperating Farms:new

Printed 2014-05-02

Plan Completion/Update Date 2013-12-10

SnapPlus Version 2.0 built on 2013-12-13

C:\SnapPlus2\MySnapPlusData\[redacted] Cooperating Farms).snapDb

Prepared for:
[redacted]ms
Kewaunee, 54216

Prepared by: Benjamin T. Koss
KOSS AG LLC
E3991 Cr-J
Kewaunee,Kewaunee,54216
920-255-3303, btkoss14151

		Predominant					Samples						In ppm			
Field Name	Acres	Soil Map Symbol	Soil Name	Soil Test Date	Soil Test Lab	Lab #	Rec. #	Actual #	Smpl ID	pH	BpH	OM %	P	K	S	CEC
Ex. 6 Personal Privacy (PP)	15.2	WoC2	WAYMOR	2013-11-05	AgSource	739104	3	4		7.3		3.7	3	55	0	0
				2013-11-05					1	7.1	0	3.1	1	53	0	0
				2013-11-05					2	7.5	0	4.3	1	58	0	0
				2013-11-05					3	7.3	0	3.5	2	55	0	0
				2013-11-05					4	7.2	0	3.9	7	112	0	0

SnapPlus Application Restriction Compliance Check Report

Starting Year 2014

Plan Year 2014

Reported For [redacted] Cooperating Farms:new

Printed 2014-05-02

Plan Completion/Update Date 2013-12-10

SnapPlus Version 2.0 built on 2013-12-13

C:\SnapPlus2\MySnapPlusData[redacted] Cooperating Farms).snapDb

Prepared for:
[redacted]rms
[redacted]
Kewaunee, 54216

Prepared by:
Benjamin T. Koss
KOSS AG LLC
E3991 Cr-J
Kewaunee,Kewaunee,54216
920-255-3303, btkoss14151

WPDES Permitted Farm

Manure Credits: 2nd Year
Strategy for applying manure adjacent to navigable water, conduits to navigable water or wetlands:
Annual crops: No applications within 25 ft; inject or immediatly incorporate in rest of SWQMA
Perennial crops: No applications within 25 ft; inject or immediatly incorporate in rest of SWQMA

Manure will be applied to the following SWQMA fields:

Field Name / Crop Year	2014	2015
[redacted]	X	X

This farm uses PI for P2O5 590 Compliance

Rotational Restriction Problems

No Rotational Problems found

Soil Test Problems

No Soil Test Problems found

Application Restriction Problems

Field Name	Year	Problem	Explanation
ML-James Dufect 2A	2014	CAFOs are prohibited from applying manure when groundwater is within 24 inches of the surface.	Field to be checked for gound water at 24 inches of depth on only the wet soils portion of the field.

Excess N Problems

No Excess N Problems found

Soil Test Problems Legend

Too Few Soil Samples	Less than one sample per five acres.
Soil Test Data Too Old	Soil test is greater than 4 years old

SnapPlus Field Data and 590 Assessment Plan

Reported For [redacted] Cooperating Farms:new

Printed 2014-05-02

Plan Completion/Update Date 2013-12-10

SnapPlus Version 2.0 built on 2013-12-13

C:\SnapPlus2\MySnapPlusData[redacted]fixed5-11-2013 [redacted] Cooperating Farms).snapDb

Prepared for: [redacted]arms
[redacted]
Kewaunee, 54216

Prepared by: Benjamin T. Koss
KOSS AG LLC
E3991 Cr-J
Kewaunee,Kewaunee,54216
920-255-3303, btkoss14151

Field Data: 15 Total Acres Reported.

Field Name	F. Grp	FSA Tract	FSA Fld	Ac.	County	Soil Series & Map Symbol (Critical)	F. Slp %	F. Slp Len ft	Below Field Slope To Water %	Dist To Water ft	NRCS Res	Contour/ Filters	Irrigated	Tiled	Rotation	Tillage	Report Period	Field 'T' t/ac	Rot Avg Soil Loss t/ac	Rot Avg PI	Soil Test P ppm	Rot P2O5 Bal lb/ac	P2O5 Bal Target lb/ac
[redacted]	new			15.2	Kewaunee	FABIUS (FaA)	2	250	6.1 - 12	301 - 1000	W	No / No	No	No	GH-GH-Sg7-Csl-Cg-Sg7	None-None-SFC-FCND-FCND-FCND	2011-2016	3	**0.5**	1	3	-92	-

Crop Abbreviations

Abbreviation	Crop
Cg	Corn grain
Csl	Corn silage
GH	Grass hay
Sg7	Soybeans 7-10 inch row

Tillage Abbreviations

Abbreviation	Tillage
FCND	Fall Chisel, no disk
SFC	Spring Cultivation
None	None

Restriction Legend

Code	Description of Code
P	High permeability N restricted soils
R	N restricted soils with less than 20 inches to bedrock
W	N restricted soils with less than 12 inches to apparent water table
+	This map unit may have any of the N restrictive features, however an on-site investigation is needed to identify which restrictions may actually be present.
S	Field is in SWQMA
D	Drinking water well within 50 feet of field.
C	Conduit to groundwater within 200 feet upslope of field.
L	Local restrictions on nutrient applications.

HNH ATTORNEYS

HOPP NEUMANN HUMKE LLP

February 3, 2012

VIA U.S. MAIL & E-MAIL
dacrass@michaelbest.com

Attorney David A. Crass
Michael Best & Friedrich LLP
One South Pinckney Street, Suite 700
P. O. Box 1806
Madison, WI 53701-1806

Re: Ex. 6 Personal Privacy (PP)
Town of West Kewaunee Proposed Birchwood (County Road F) Manure Storage Facility

Dear Attorney Crass:

This office represents the Town of West Kewaunee. A copy of your January 17, 2012, correspondence addressed to the Town Board has been referred to this office for response.

Enclosed is a copy of An Interim Zoning Ordinance Creating Section 30 of Article VII of the Town of West Kewaunee Zoning Ordinance Enacting a Temporary Moratorium on the Construction of Manure Storage Facilities. This Ordinance was adopted by the Town Board of the Town of West Kewaunee on January 30, 2012, and published in the *Green Bay Press Gazette* on February 2, 2012, and is effective as of February 3, 2012. The legal authority for the enactment of this temporary moratorium is clearly delineated in the ordinance.

We do not agree with Ex. 6 Personal Privacy (PP) assertion that it has received all permits and approvals needed for the construction and operation of a manure storage facility at its Birchwood site located on County Road F (hereinafter referred to as Birchwood). An October 18, 2011, letter from the WDNR clearly provides conditional and limited WDNR approval of the Birchwood facility. The Ex. 6 Personal Privacy (PP) operation is considered a large farm which must be operated pursuant to the terms and conditions of a State of Wisconsin Department of Natural Resources Permit to Discharge under the Wisconsin Pollutant Discharge Elimination System (WPDES). The Ex. 6 Personal Privacy (PP) WPDES permit requires WDNR approval of a permit modification in order to add and operate the Birchwood manure storage facility. A WPDES permit modification has not been approved by the WDNR and, therefore Ex. 6 Personal Privacy (PP)

does not have WDNR approval to operate a manure storage facility at the Birchwood site.

In addition, the Birchwood facility requires Kewaunee County permit approval. Kewaunee County Conservationist, Andy Wallander, confirmed that [redacted] has not filed a County permit application, nor paid the required permit fee, nor has a County permit been issued for the Birchwood facility.

The Birchwood manure storage facility also requires Town of West Kewaunee approval. The Birchwood site consists of approximately 120 acres of "field crops" which is a permitted use under the Town's A-1 Prime Agricultural Land District zoning regulations. A manure storage facility is not listed as a permitted use under the A-1 District zoning regulation. A manure storage facility would be considered an accessory use to "animal and poultry husbandry" or "dairying and grazing" operations and therefore allowed in the A-1 District as an accessory use. A manure storage facility would not be considered an accessory use to "field crops" and therefore is not a permitted use at the Birchwood site. Consequently, developing and operating a manure storage facility at the Birchwood site would require a Conditional Use Permit from the Town. The Town of West Kewaunee has not issued a Conditional Use Permit for a manure storage facility for the Birchwood site.

Finally, Section 22 of the Town's zoning ordinance requires that a building permit be obtained for any change in use of property. Changing all or any portion of the Birchwood site from "field crop" operations to a manure storage facility would require a building permit. The Town of West Kewaunee has not issued a building permit for the construction of a manure storage facility for the Birchwood site.

The Birchwood site does contain an old manure storage facility. However, the old facility would not be considered a non-conforming use because its operation has been discontinued or terminated for a period of 12 months. A non-conforming use cannot be added to or enlarged in size. Therefore, the old manure storage facility at the Birchwood site cannot be used or operated as a manure storage facility.

In conclusion, [redacted] does not have the required permits and approvals required to construct and operate a manure storage facility at the Birchwood site and, therefore, no construction or development of such a facility is allowed at this time.

Please note that the moratorium ordinance does provide a procedure for seeking a waiver of the moratorium in appropriate circumstances as determined by the Town Board. If [redacted] determines that there are alternate methods or systems for expanding its manure storage capacity, it should work with the Town Board to pursue acceptable alternatives and to utilize the waiver procedure as appropriate.

Please contact me should you have any questions related to this letter or the Town's moratorium ordinance.

Very truly yours,

Michael J. Bauer
e-mail: mike.bauer@hopplaw.com

MJB/ck
Enclosure

c: Tom Kruse, Chairperson
Randy Kuehl, Deputy Clerk
ec: Edith Lauscher, Zoning Administrator
Casey Jones, WDNR
Andy Wallander, Kewaunee County
All with enclosures

R:\CLIENT\11302\00001\00050549.DOC

ORDINANCE NO. 1 2012

AN INTERIM ZONING ORDINANCE CREATING SECTION 30 OF ARTICLE VII OF THE TOWN OF WEST KEWAUNEE ZONING ORDINANCE ENACTING A TEMPORARY MORATORIUM ON THE CONSTRUCTION OF MANURE STORAGE FACILITIES

WHEREAS, a significant portion of the Town of West Kewaunee is zoned A-1 Prime Agricultural Land and occupied by agricultural facilities and practices that directly and indirectly impact the citizens of the Town of West Kewaunee, and

WHEREAS, Chapters 92 and 281 and other relevant provisions of the Wisconsin Statutes recognize that agricultural facilities and practices should be regulated to halt and reverse the depletion of the State's soil resources and pollution of its waters, and

WHEREAS, Wisconsin Administrative Code section NR 151.015(13) provides that a "Manure Storage Facility" means an impoundment made by constructing an embankment or excavating a pit or dugout or by fabricating a structure to contain manure and other animal or agricultural wastes.

WHEREAS, the Town Board hereby determines that it is necessary to enact an interim zoning ordinance establishing a temporary moratorium on the construction of any manure storage facilities to allow the Town to develop an ordinance regulating manure storage facilities; and

WHEREAS, the Town Board hereby further determines that the enactment of this moratorium is a necessary use of the Town's police powers and zoning authority as authorized by Wis. Stats. § 60.61, § 60.62, § 61.35 and § 62.23 and is specifically authorized by Wis. Stats. § 92.16 and other relevant provisions of the Wisconsin Statutes in order to protect the health, safety, and general welfare of the citizens of the Town of West Kewaunee.

NOW, THEREFORE, the Town Board of the Town of West Kewaunee does ordain as follows:

Section 1. **Creating Code**. Section 30 of Article VII of the Town of West Kewaunee zoning ordinance is hereby created to read as follows:

"Section 30. MORATORIUM ON THE CONSTRUCTION OF MANURE STORAGE FACILITIES.

(1) Moratorium

A moratorium on the construction of any manure storage facilities, as defined by Wis. Admin. Code Sec. NR 151.015(13), within the Town of West Kewaunee is enacted and shall apply to all manure storage facility applications pending before the Wisconsin Department of Natural Resources and/or the Kewaunee County Land Conservation Department for which final approvals have not been granted, including any renewal applications, and requests for development, construction,

enlargement, alteration, relocation and demolition of any manure storage facilities that have not been completed on or before the date of the enactment of this Ordinance, unless a waiver is granted as hereafter provided.

(2) Waiver

Any landowner otherwise precluded from the construction or the continuation of construction of any new manure storage facilities or using his or her land because of the prohibitions of this section may seek a waiver from the provisions of the moratorium. A landowner seeking a waiver shall file a letter petition with the Town Board. The letter petition shall include the names of the petitioners, landowners, description of the subject property, the relief sought, and the reason for seeking relief. The Town Board may grant relief or a waiver upon such conditions as it deems necessary. If the waiver is granted, the petitioners and landowners must comply with all other Town ordinances and requirements. Petitioners or landowners dissatisfied with the decision of the Town Board may appeal in accordance with Wis. Stat., Ch. 68.

(3) Violations and Penalties

Any person who violates, disobeys, neglects, omits, or refuses to comply with, or who resists the enforcement of, any of the provisions of this chapter shall, upon conviction, remove the structure or part thereof or discontinue the use which violates the terms of this chapter, and restore the affected property to its original condition prior to the violation to the fullest extent possible as determined by the Town within ninety (90) days of such conviction.

Upon failure to do so, the Town may order such removal and restoration. Such removal and restoration may be performed by the Town, an agent, or by outside contract, and the cost thereof shall be billed to the owner and be paid within thirty (30) days, and if not paid, shall become a delinquent special charge under the provisions of Wis. Stat. § 66.0627 and shall become a lien on the property, collectible as are other taxes.

Such person also shall, upon conviction, forfeit to the Town of West Kewaunee not less than Two Hundred Fifty Dollars ($250.00) nor more than Two Thousand Dollars ($2,000.00), plus costs of prosecution, for each offense. Each day during which such violation exists shall constitute a separate offense.

Every violation of this ordinance is a public nuisance and the creation thereof may be enjoined and the maintenance thereof may be abated by

action at the suit of the Town of West Kewaunee, the State of Wisconsin, or any citizen thereof.

(4) Termination

The moratorium shall remain in effect for not longer than twenty-four (24) months from the date of enactment, unless earlier rescinded or extended by the Town Board."

Section 2. **Severability**. Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 3. **Effective Date**. This Ordinance shall take effect upon enactment and publication, as required by law.

Enacted this 30th day of January, 2012.

TOWN BOARD

/s/
Tom Kruse, Chairman

/s/
Arnold VanGoethem, Supervisor #1

/s/
Robert Karl, Supervisor #2

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing Ordinance was duly enacted by the Town Board of the Town of West Kewaunee on the 30th day of January, 2012.

/s/
RANDY KUEHL, Deputy Town Clerk

R:\CLIENT\11302\00001\00050312.DOC